

City Council Regular Meeting Transcript – 03/04/2021

Title: City of Austin

Channel: 6 - COAUS

Recorded On: 3/4/2021 6:00:00 AM

Original Air Date: 3/4/2021

Transcript Generated by SnapStream

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[10:03:46 AM]

>> Mayor Adler: Call to order if we're ready. I'm looking for Ann, I see Ann. We're going to go ahead and call the meeting to order. Today is Thursday, March 4th, 2021. This is the Austin city council meeting. We're conducting this meeting virtually. We have a quorum present. I'm going to read into the record here quickly changes and corrections. Before I do that, councilmember pool, was there something that you wanted to say or to recognize at the beginning of this? >> Pool: I'm going to do it right about the time we take a vote on the consent agenda and it just is a recognition of an outgoing long-time environmental commissioner. >> Mayor Adler: Sounds

[10:04:46 AM]

good. Don't let me forget. Colleagues, I'm going to read the changes and corrections into the record and there was an amended one that came out this morning. Item number 1, it's approve the minutes of the city council meeting. That sentence should conclude with the special called on February 9th. We are not approving minutes on the special called for February 25th. Item number 19, authorize negotiation and execution of a contract rather than to ratify. Item 21, approve an ordinance amending the operating budget of the housing and planning department. Item number 24 is being postponed to March 25th, '21. Not being withdrawn. Item number 28 is withdrawn. We have three items that have been pulled today.

[10:05:49 AM]

Item number 40 pulled by councilmember Kelly. Item 62 pulled by councilmember alter. And item number 68 pulled by councilmember Kelly. We have late backup in items 3, 7, 21, 22, 65, 87, 90, 93, 94, 95, and 98. The consent agenda in front of us today is items 1 through 77 and also item 99. Colleagues, we, as posted on the message board, we have potentially over 80 speakers. We're going to begin this morning with discussion by those speakers.

[10:06:50 AM]

They are each going to have one minute. During the speakers, I think that the goal is to get everybody who is signing up on ahfc speaking first. Clerk, is that correct, so we can take an earlier vote on ahfc? >> Yes, mayor, that's correct. >> Mayor Adler: So we're going to have all them speaker first. At 10:30 we're going to stop wherever we are with respect to speakers, we will have had all the ahfc speakers and we will handle the ahfc agenda and then we will come back and finish speakers. And then handle the consent vote on the consent agenda. We then have the opportunity to be able to handle pulled items. We're going to stop at noon for the sitcom speakers. There are ten, a full

[10:07:52 AM]

compliment of citizen communication speakers, and then at 10:00 we'll recognize them. They each have three minutes to speak. The intent then is to try to take a lunch break at that point. We have the opportunity to go into executive session depending on the scheduling, but let's see how that works. At 2:00, we have zoning speakers that we'll be queuing up. We are going to group speakers on item 94 together since most of the speakers signed up for that item. We will call the applicant's representative to speak as part of that group. But we're going to start with the five other zoning speakers first so that they can speak. So generally speaking, that's how we're going to proceed. We would begin with the -- the speakers that have

[10:08:53 AM]

signed up for the morning work. Councilmember kitchen. >> Kitchen: I want to note that there's a mistake in the -- in the revised backup for item 65, nominations and waivers. My appointment -- my appointment should be not to the environmental commission but to the human rights commission. And so I think that that is listed wrong. >> Mayor Adler: Is this Melanie areche? >> Kitchen: Yes, she would be listed as the human rights commission. Did they get that corrected in what's in front of you? >> Mayor Adler: It could be something that post-dates mine. Melanie areche, the human rights commission. >> Kitchen: Yes, thank you. >> Mayor Adler: Okay. All right. Colleagues, we'll move forward with speakers. Clerk, if you call the speakers, please make sure

[10:09:53 AM]

you get all the agency speakers first, at 10:30 we'll take a recess in the city council meeting to take that agenda. So if you are ready, go ahead and proceed. One minute each speaker. >> Okay. The first speaker is Frances Acuna. Wait, wait -- can we wait a little bit. Hold on because it's my first -- >> Frances Acuna, go ahead. >> Can you hear me? >> Mayor Adler: Yes. You have one minute. Go ahead. >> Yes. My name is Frances Acuna. I'm a resident of dove springs and I'm against item number 1 and the issue is 22 million of multiple housing revenue bonds for the construction of

[10:10:54 AM]

development and 4400 Nuckols crossing. I have walked and driven Nuckols crossing and I know you have seen the video of the last we presented. I want you to know this is not a responsible decision to pass an item when the probe mobility is not in place. I urge you to not pass this item without ensuring that the problem sidewalk, accessibility and accommodations for residents with mobility issues be in place. If we're honest, we all know that there's no access to shops, grocery stores, health centers or any bus routes within walking distance for senior residents close to this development. And there are no plans to street upgrades in this area, at least not any time soon.

[10:11:54 AM]

Please don't make the mistake of putting [inaudible] In homes without -- >> Speaker, your time has expired. >> Safe access -- >> Mayor Adler: Thank you for participating today. Next speaker. >> Anna aguira. >> Can you hear me? >> Yes, go ahead. >> Okay. Good morning, mayor Adler and board members. I'm south combined neighborhood contact team and speaking item 1 of the ahfc meeting. Surrounding residents including those who live in far south Austin Travis county continue to raise major public safety traffic concerns this development will happen on future residents. This is has been a concern since proposals on this property were brought to our attention in 2016. We have consistently voiced our concerns regarding vehicular and bicycle safety at every hearing and hoping someone will listen.

[10:12:56 AM]

This is the fifth affordable housing project being built on this road since 1980's. We continue to object to being subjected to poor quality of life conditions just because we're a low-income and predominantly

people of color community in the very low opportunity area. Our safety should not be negotiated in lieu of affordability. The Austin housing corporation -- [buzzer sounding] -- Is something being done to us and not for us. Please consider our safety. And this includes the residents that are going to be 55 and older for this proposed development. Thank you. >> Jessica Alexander. >> Hello. My name is Jessica Alexander. I am a long-time Austin resident, a bike Austin member, bike commuter.

[10:13:58 AM]

78744 homeowner and small business owner here in Austin, Texas. I would also like to reiterate I am opposed to the 4400 Nuckols crossing project item number 1 on the ahfc item agenda, and my reasons for that are simple due to reiterate on the other point that our constituents in 78744 have made on the danger of this location. I would like to remind you that there are very few walkways, crosswalks, pedestrianways, bikeways and safe ways for residents as well as people passing through the area to get from point a to point B. I would consider myself in this area where I do not find a safe way to get from point a to point B in Nuckols crossing as a young person. So I would like for you to consider how difficult -- [buzzer sounding] -- This would be for low-income seniors with limited access to sidewalks and other options for mobility.

[10:14:58 AM]

Thank you, mayor Adler and councilmembers. >> Jason Lucio. >> Hello, board members. My name is Jason Lucio, resident of district 2. I'm here on the contact team. Our contact team is opposed to the issuance of \$22 million as multi-family family revenue bonds for city heights which is ahfc city council agenda number 1. We believe this was achieved through a misrepresentation and development of additional affordable housing units in a census tract that has four others on a zip code 75% hispanic which would violate the federal fair housing act. We do not believe this board should issue -- lastly I feel it's important to note we've been meeting with this applicant for years about

[10:15:58 AM]

this property to try to come to agreement about zoning, traffic, safety, affordable housing, but since rezoning was achieved we have not heard from them once. We are asking you to oppose the issuance of these bonds. >> Alter: Mayor, can I ask a quick question if it's in order. For the ahfc items are we simply receiving public comment and there's no actual vote today. Is that correct? I can't hear you, mayor. >> Mayor Adler: Sorry. Item 1 is conduct a public hearing, receive comment as is item 2. Item number 3 is to approve an inducement resolution. So there's action associated with that item. >> Alter: Thank you for the clarification. >> Mayor Adler: Yes.

[10:16:58 AM]

>> Laurel frael. >> The proposed housing development at 4400 Nuckols crossing known as city heights should not be awarded multi-family housing revenue bonds. It received rezoning approval from single-family to multi-family zoning by presenting a tract mitigation plan in July that convinced the city council to approve the rezoning request in September even though the concerned neighborhoods that had been working with the owners and agents for over four years were not consulted about this plan. In October that plan was thrown out and currently there is no approved traffic mitigation plan. There are numerous reports that show the location of their driveway will cause major traffic hazards. In addition, the developer started clearing the land without an approved site plan and has caused damage to critically environmental features as documented by the city environmental department. They have halted further work until the developer has restored the land which has

[10:17:59 AM]

not happened yet. Mcdowell housing partners, the developer of city heights, has shown disregard -- [buzzer sounding] -- And city processes and neighborhood concerns. I ask that you do not issue bonds to this development and enable them to cause further environmental damage -- >> Speaker, your time has expired. >> Please save that money for developments that will benefit the surrounding neighborhoods. >> Mayor Adler: Thank you very much. Thank you for participating. >> Anna Padilla. >> Hi, good morning. My name is Anna Padilla and I work with [inaudible] Housing partners. I have been involved in the project since for about a year. I work with the developer. And I would like to mention that we have exhausted all the means that we can to listen to the neighborhood, to address the issue, to contact the city, the

[10:19:01 AM]

different parties involved with safety. That was one of the major concerns, and we have been addressing all of them. We are still working to our site development permit and we understand that our bonds are an issue. This is just a [inaudible] Hearing. And so I -- were willing to keep working with the community. We have reached out to councilmembers Fuentes and her staff so we can work together for this development. [Buzzer sounding] We just want to be part of the community and reinforce unity and being a good neighbor. Thank you. >> Mayor, that concludes all the ahfc speakers. >> Mayor Adler: Okay. Let's go ahead and then take a recess here of the city

[10:20:02 AM]

council meeting at 10:19 A.M. We're going to go ahead and convene the -- >> Mayor? >> Mayor Adler: Yes. >> I apologize. We're not yet at 10:00 portion just in case -- 10:30 just in case there's anybody else. >> Mayor Adler: Clerk, if you will continue to call speakers, we'll wait until 10:30 before we take the recess. >> Okay, the next speaker is Michael Lofton. >> Hi, this is Michael Lofton. I am very happy to be able to speak to city council today. I am calling on behalf of item 67, asking that the council supports it's. This resolution is being presented by the black Austin coalition as it relates to -- as it relates

[10:21:02 AM]

to disparities for years in African-American community. So I could go on for days as relates to a lot of the disparities, but I will just say this here. It is my hope that the council looks at it, supports it so that we can move forward. I know over the years we've had tons of race-related conversations, and the bottom line is action needs to be taken. And race relations conversations cannot fix the years of disparities that the African-American community has faced. And you know one of the things I would also leave with you all is that -- [buzzer sounding] -- I would like to see programs put back into the schools that give kids in high schools a skill such as plumbing, electrical, auto mechanics. >> Speaker, your time has expired. Paul Robbins. >> Council, item 4 on your

[10:22:04 AM]

agenda increases emergency bill assistance for low-income electric and water customers by \$10 million. However, there's a huge gap in utility bill assistance. Texas gas service, Austin utilities will spend about \$30 million this year, but Texas gas service about \$100,000. I brought this issue up several times in last year's gas rate case, leveeing a surcharge to create adequate funding may require a new rate proceeding, but I urge you to do it quickly. This has been a record cold spell in the midst of a pandemic causing rapid, rabid unemployment and the need is urgent. Thank you. >> [Inaudible] Arnold.

[10:23:09 AM]

>> Yes, my name is Mika Arnold. I'm a born and raised austinite, local activist committed to serving my community and I'm here to speak on the item 67. I feel like the council should just [inaudible] To the black people, invest into the black people. We already know what we've been going through especially through snow event it didn't do anything but expose inequities we face detaily. If you all are for us, the black people, show us. It's simple. Show us. This is the time to show us and stand on what y'all are saying. If y'all are for black people, show us. I'm not going to get on here and say a whole speech. This is the time to prove to

[10:24:09 AM]

Austin that y'all are for black people. [Buzzer sounding] And that's all I have to say. >> Stanley cobble. >> Hello. Can everyone hear me? >> Yes, go ahead, please. >> Okay. I'm Stanley cobble, I'm 54 years old born and raised still living in east Austin. My family has deep roots in Austin dating back to the early 1900s. My ancestry in -- my ancestors were teachers, nurses and like myself a business owner and speak to the city policies. The city's 1928 master plan really damaged blacks in Austin and we would be in

[10:25:10 AM]

better position economically and I support the black [inaudible] In item 67. So hey, let's make Austin great again and that's what I have to say. Thank you. >> Taren hodes. >> Hello, mayor and councilmembers. My name is Taren hodes and I'm here in favor of item number 67. Although moving forward we can't undo what has been done in our past, we are able to acknowledge it so that we can move forward to close the gaps of injustice and the awful policies that have been in place and that we have a chance with this agenda item to move forward in a really positive way by making our city more equitable.

[10:26:12 AM]

As an educator in training at the university of Texas at Austin studying urban education, I want my students to know that they are empowered in the classroom, but they are also empowered in the community. And that's something that this agenda item would show. And I yield my time. Thank you. >> Pat van trellis. >> Hi. Thank you for the opportunity to speak. My name is pat van trellis and I'm speaking on item 2 on today's agenda. I would like to request that you prohibit -- item 2 on today's agenda prohibits the because of a baseball bat, axe handle, pitch fork, bull hook or device of similar design on all animals except a horse, mule, jack, cow,

[10:27:13 AM]

bull steer, hog, pig, swine, sheep or goat other than a minature breed. Please amend the proposed ordinance by removing C, the provision that exempts horses, mules, cows, sheep, goats and other animals. Please oppose exempting any animal from having a baseball bat, axe handle, pitch fork, bull hook or any device used on them. The discussion about this item took place in 2015 by the animal advisory commission. It is a very old item on Austin animal advisory commission agenda. It was not

voted on at the time by the Austin city council. If you vote on it -- [buzzer sounding] -- Today, please only vote on it if you remove the exemption that those instruments may be used to inflict pain on those certain animals that were exempted back in 2015. We do not need -- >> Speaker, your time has

[10:28:15 AM]

expired. >> We do not need to be passing -- >> Wendy Murphy. >> Good morning, this is Wendy Murphy, I live in district 4 in Austin. I'm opposed to item 2. I'm opposed to this amendment as it's written specifically because of part C which excludes several types of animals from protection. This amendment would prohibit cruel devices such as baseball bat, axe handle and pitch fork, no problem -- and that's a wonderful thing. However, they go in part C to exempt certain animals. These exempted animals who feel pain and fear every bit as much as every other animal will are -- it condones animal cruelty. It is animal cruelty, period. Here in Austin then if you want to beat a horse with a baseball bat or stab a goat with a pitch fork, no

[10:29:16 AM]

problem because we passed a law saying that's okay and we condone that in Austin. Come on, we're better than that. We don't want animal cruelty in Austin. We can do better than that. Please do not pass this amendment as it stands unless and until you remove part C. Thank you. >> Anna rupani. >> Can you all hear me? >> Yes, go ahead. >> My name is Anna rupani, an organization that provides support -- I'm speaking in favor of item 40. We are one of the organizations receiving funding [inaudible] Through the program recruited by council in 2018 to provide assistance including travel and lodging to austinites seeking abortion. We know firsthand the ways in which loss of resources can push abortion out of reach for people already

[10:30:17 AM]

struggling to get by and glad council takes this issue serious. Can marginalize people to ensure most people likely to face barriers to 5:00es. Black, people of indigenous color and undocumented people are disproportionately affected by lack of access to adequate resource and understand the logistical barriers. Some of these barriers are logistical. Marginalized people have -- [buzzer sounding] -- Costs. Working jobs that restrict time off -- or in which they lose wages taking time off -- >> Speaker, your time has expired. >> Thank you.

[10:31:17 AM]

>> Thomas downing. >> Yes. Can you hear me? >> Yes, go ahead. >> I'm Thomas downing with the anti-racism task force church speaking for item 67. Last year there were a great many demonstrations in 2 city proclaiming black lives matter that have made a difference. Ending police brutality is just the tip of the iceberg. Before this country existed -- much of Austin was built by slaves and convict labor. Exploitation continued from there. 1928 black communities such as Clarksville and St. John's were razed and inhabitants moved to east Austin. Continued to be taken from owners by so-called slum clearance and gentrification. The wealth of black families to be less than a quarter of

[10:32:17 AM]

whites. The only way to fix this is put our money where our mouths are. This resolution is just a start. If we truly believe black lives matter, council has no choice but to vote for this resolution. Thank you. [Buzzer sounding] >> Kate Lee Haynes. >> Thank you, yes. Councilmembers, thank you for having me speak today. I am speaking on four items -- for item 57. I would like you guys to please pass it in your consent agenda today and thank you again for going forward with this. I agree and reiterate everything everyone else has said previously. This is a big step forward, but it is just the first and thank you.

[10:33:22 AM]

>> Mary Chisholm. >> Hi, yes, I live in district 4 and I'd like to ask the city council to vote for or yes on item 67. And the council needs to show, like the gentleman said earlier, with resources to black austinites, not just commitments with words. They need to spend the money on the people of Austin that deserve it. And to rectify the enslavement of black people and the systemic racist policies put forth by the city council over the years. Thank you. >> Mayor, our next speaker is Jennifer Peterson, and we

[10:34:22 AM]

have an a interpreter on the line so she gets three minutes. >> Hi, my name is Jen Peterson, a resident of district 2 in east Clark area. I'm in support of agenda item number 67. I believe that our land was developed by blacks and slaves and there's no mention of Mckinney falls state park being built by slaves as well. And it's not included in any of the black history month celebrations by the state parks of Texas. But I think that's really embarrassing and we need to support number 67, please, and thank you very much. >> Mayor Adler: Thank you. Let's go ahead, it's now past 10:30. We're going to take a short

[10:35:23 AM]

recess in the city council meeting, we'll come back to the the speakers in just a moment. At 10:35, we're going to recess the city council meeting and convene the Austin Austin housing finance corporation meeting. It is March 4, 2021, the time is 10:35. We have a quorum of the board of directors. I think we have three items on the agenda. The first two are conduct a public hearing and receive public comment on two items, we have done that. Clerk, have we called all of the folks that wanted to speak on this item earlier? >> Yes, those that called in, some have not called in, but yes. >> Mayor Adler: So everyone that wanted a chance to speak on this agenda has had that

[10:36:23 AM]

opportunity. >> Correct. >> Mayor Adler: Okay. Councilmember Fuentes. >> Fuentes: I share the traffic concerns. The traffic plan is part of the site plan process and is not associated with the financing. Today's item as we have previously shared with the public hearing and I'm glad my community was able to participate to voice these concerns. But just emphasize today is a hearing and the meeting on the 25th is when we will vote on the issuance of bonds from the state. It's my understanding that vote is to accept bond dollars from the state on an already previously approved project by this council at the end of last year. We'll continue working on this. We have a -- my team has a meeting with city staff and our community next Friday to discuss the traffic safety concerns, and just to reiterate the plan is part

[10:37:24 AM]

of the site plan process and also I want to say thank you to my collect councilmember kitchen for raising that we also have in the 2020 mobility bond has dedicated to help with mobility and sidewalk improvement for that area. So again, I share the concerns of my community and will continue to work with city staff to make sure that they get addressed. Thank you. >> Mayor Adler: Thank you, councilmember. Councilmember kitchen. >> Kitchen: Yes, thank you, councilmember Fuentes. Just as a reminder to everyone, when we passed the active traffic safety board resolution, there's specific language in it about Nuckols crossing, recognition Nuckols cross ING is a substandard road and there's still more work to be done to make sure it makes its way to improvements on

[10:38:24 AM]

Nuckols crossing and I just want to let you all know I support her and there is an identified stream of funding to be used for that. >> Mayor Adler: Thank you. Councilmember tovo, did you want to speak. >> Tovo: Mayor, we just received a communication from Ms. Joseph who I believe wanted to speak on this item before we get to afc. >> Mayor Adler: Clerk, I think we have one more speaker who wants to speak.

>> I have emailed her with the instructions, but we're we're still not showing her in the queue to speak.
>> Mayor Adler: Much she shows up, please interrupt it. Councilmember tovo, did you want us to wait?
Muted. >> Tovo: She is indicating

[10:39:25 AM]

she's on the line. Maybe we could give her another 30 seconds and see if she can be located. >> She is not in the yeah, we just double checked. I've asked her to hang up and call back. >> Mayor Adler: While we're giving her 30 seconds to do that, Mandy, Rosie anything else we need to hear before we entertain a vote on number 3? >> Yes, this is Mandy, Austin housing finance corporation. I did want to offer some clarification. You have three items on the agenda today. The first two are the public hearings. Tore number number 1 [inaudible] As councilmember Fuentes mentioned the next council meeting which is March 25th we'll actually take actionment the recommendation is move forward with authorization

[10:40:26 AM]

up to \$22 million. Today, however, is not action. It is just a public hearing for those two items. Item 3 is a completely different project. It is [inaudible] Aahfc at 900 Gardner. You may recall that last September you all authorized us to move forward with negotiations with the mayor mecino group on the currently vacant parcel. This is actually [indiscernible] Which is authorizing them to move forward to get the private activity bond [inaudible]. So three on your agenda today at various stages of development.

[10:41:28 AM]

>> Mayor Adler: Okay. Thank you. Signed up in the queue? >> Yes, we do. >> Mayor Adler: Thank you, she has one minute. >> Zenobia Joseph. >> Thank you, mayor, councilmembers. I'm Zenobia Joseph. Mayor, I just have one quick question. Is this to comment on all the agenda items in this one minute or just Austin housing finance corporation? >> Mayor Adler: I think you get called on everything you want to speak on. >> Okay. Thank you. I appreciate you clarifying that. My opposition to 2, there is no transportation to that site and so I have sent a disparate complaint to the department of house and community affairs. When was item was originally

[10:42:30 AM]

on the agenda it referred to 142 which is a route that only operates twice in the morning and twice from downtown to north Austin. My opposition to item number 67 is that we do not need more talks, titles and task force related to African-American inequities. If you want to do something for black, I would ask you to find \$4.7 million and to put the metro rapid line on Parmer lane between Samsung and apple. I will proceed to follow up with the living cities as it relates to \$75,000 for the equity Ben heck and ask them to defund the city of Austin. We do not need more funding -- [buzzer sounding] -- As a smoke screen and my comments are related to title 6 of the civil rights act which discriminates -- there are many items I signed up for, but in a nutshell, I would -- >> Speaker, your time has

[10:43:32 AM]

expired. >> It would help if the hearing from separate from the general items. Thank you very much. >> Mayor Adler: Colleagues, that gets us back to the agenda. The record should reflect -- clerk, is there anyone else signed up to speak? >> Not for ahfc. >> Mayor Adler: The record will reflect we've taken public hearings on items 1 and 2. We're going to take action on item number 3. Is there a motion to approve the resolution? Councilmember Renteria makes the motion. Is there a second in councilmember Casar seconds. Any discussion? Let's take a vote. Those in favor of resolution item number 3 please raise your hand. Those opposed? I see it as being unanimous by the board of directors. It passes. That's all the business we have. Council? >> Councilmember harper-madison, were you trying to come on?

[10:44:33 AM]

>> Mayor Adler: Yes, councilmember harper-madison appearing and showing aye. Councilmember Casar. >> Casar: I just want to recognize that between the units at Rutland and district 4 and the units at the Gardner tract in district 3 and care takes and mecino's work, we're trying to bring on line hundreds of units for folks that are currently living on the street. So again, I just think it's important for the community to know and for us to thank the staff and the non-profits doing that work for us to bring units online to achieve our goal of reducing homelessness in the city. >> Mayor Adler: Thank you. >> Mayor, if I could, I also did reach out directly to Ms. Joseph to address her comments regarding [inaudible] At Rutland and proximity to transportation,

[10:45:34 AM]

but we have confirmed that esparo is four minutes from cap metro loop 325 which has a 15-minute head way during morning, afternoon and evening and 325 north to shops and amenities [inaudible] Tech ridge. In addition we have a red line stop at the new Austin soccer stadium, which is [inaudible]. We are very committed to aligning our affordable housing with transportation so I do want to make that clear.

Selected as a site for its proximity to transportation. >> Mayor Adler: Thank you. All right, colleagues, we took care of all the items on the agenda. With that I'm adjourning the Austin housing finance corporation meeting here at 10:46. And also at 10:46, I'm reconvening the city council

[10:46:36 AM]

meeting for today, March 4th, 2021. We're continuing -- the meeting started earlier, that we recessed, it's being conducted virtually, we have a quorum present. If the clerk would continue calling the speakers. >> Courtney Robinson. >> Good morning. Mayor Adler, councilmembers, it's a pleasure to be with you today. I'm Dr. Courtney Robinson and I'm speaking in favor of item 67 to acknowledge and take action against the harm that has been afflicted on black austinites due to the long history of racism in our city. I have been in Austin 21 years. I've lived here longer than any other place. This is home. I'm in favor of item 67 because acknowledgment is a bold first step. However, it isn't enough to

[10:47:38 AM]

acknowledge harm. We must take bold steps in our action because harm has been caused in all of our systems, education, criminal, legal, health care, housing, our economy. As the founder of the [inaudible] Advancement foundation and chairman of the board for the millennium youth entertainment complex, I see firsthand out inequity resources has harmed black youth. I'm here to partner with the city to ensure this next generation does not have to suffer under the weight of racism in the same way generations before them have. Let's all seek to be a beloved community. Thank you for your time. [Buzzer sounding] >> Kyle harman. >> Hi there, I'm speaking on item 67. Since 1863, black measures have only gained one percent of this country's wealth.

[10:48:38 AM]

Generational wealth has everything to do with the enslavement of black people. Of course the impact of chattel slavery, a life expectancy gap between black and white folks. The strategy to isolated the plan made east Austin the only part of the city where black people could access schools and public services, this plan is steeped into every structure of the city. Travis county is home to the most segregated in the state and hit east Austin the hardest. But, of course, white people can't stab taking what is not ours. The failure of stain the recognize historic and persisting harm regrets. >> Need to deflect and gas light. It's not paired with abolition and cultural investment. There is no solution but heeding the -- anything less

[10:49:39 AM]

is an intentional continue I can't say. Thank you. >> Reese herd. >> Hello, can you hear me? >> Yes. >> Hi, I'm speaking on behalf of black Austin coalition and the deem out loud experience. Born and raised in district 1. Currently residing in district 5. I'm here to speak on item 67 to say I am for item 67. Due to my firsthand accounts of growing up in Austin and seeing the racial disparity that has gone on from school systems to criminal justice to opportunities for advancement. We would like for a change to happen. We are tired of the empty promises.

[10:50:39 AM]

We're ready. We're ready and the time is now to show us that you stand with us, you stand next to us. We're only going to keep asking for so long. The time is now for the city of Austin to atone for what's been done to blacks in Austin. Thank you all. I appreciate it. >> Tiffany Washington. >> Hello. Good morning. My name is Tiffany Washington. I'm an Austin resident and I'm an Austin born -- I was born here in Austin, Texas. And I am also the only black farmer in Austin, Texas, Travis county. I'm against item number 67 because it does not have a budget to pay us now, right now. The city of Austin completely destroyed agriculture within our community, and this resolution does not talk about being added to the city charter so that it can

[10:51:42 AM]

be -- so that the laws and policies can be changed. It's just more fluff, more money for situations and resources that are underutilized. We have cultural centers, we have the square, we have the carver museum, we have the African-American resource center. There are so many resources here for us already. We need to be paid and I'm asking that the city of Austin pay us -- pays us, pays black farmers to come back to the community so we can rebuild -- [buzzer sounding] -- The same way we built this in the beginning. That's all I have to say. >> Grace Hanson. >> Hi. Grace Hanson, member of dsa and volunteer with Basta. I'm calling in to support item 99, extension of the eviction moratorium. 55% of Austin residents are renters and especially our

[10:52:43 AM]

low-income essential workers have to face challenge after challenge during the pandemic. Hundreds of people still don't have running water in their homes from the freeze and now a lot of essential workers are going to be at higher risk of covid exposure due to reopening of business and removal of the mask mandate. This is also a racial justice issue. 65% of Latino residents are renters in Austin. And the evidence shows that the CDC moratorium is not sufficient to prevent mass evictions. Look at Harris

county, their numbers are astronomical. Austin landlords are still finding ways to evict, but imagine what the numbers didn't look like if we didn't have our own moratorium. Thank you for your time. >> Nakevia Miller. >> Hi, my name is Nakevia Miller.

[10:53:43 AM]

I am here speaking in support of -- [loss of audio] >> Mayor Adler: We may have lost the speaker. >> They are still on line, but we will call them back. Travis Ward. >> Hi, Travis Ward. I'm from district 7. I'm a member with the Austin DSA and volunteer with the eviction solidarity. I'm calling in support of 67, a solid step towards improving the displacement of the Black community in Austin. We still have a lot to do. I think this item is too vague. I'm curious to see what the city manager has planned. I also support item 99 and urge council to do so, to extend the eviction

[10:54:44 AM]

moratorium. We are just exiting a local disaster and are still feeling the repercussions of that and Texas is still one of the lowest states in terms of vaccination rates. We can't return to normal until things are actually back to normal here. And that includes people being able to return safely to their jobs. Thank you. >> Kaitlin Bony. Kaitlin Bonnie. Please unmute your phone.

[10:55:44 AM]

>> Mayor Adler: [Inaudible] Mute your then. >> Going to the next speaker, Nakevia, we have her back on the line. >> Mayor Adler: Thank you. >> I am a native central Texan and I am speaking on number [inaudible]. I do understand there is no money attached to this at this moment, I would like to [indiscernible] That there will be eventually be a price tag attached to this. [Garbled audio] To continue to live in this beautiful city. So I really, really want to encourage our city council to be active and proactive in rebuilding the generation

[10:56:46 AM]

Al [inaudible] That was stripped from Black people. [Indiscernible] Action that will be attached to this resolution. [Buzzer sounding] >> That's all. >> Laura Blackwell. >> Good morning. I am calling on the recommendation of the Austin Justice Coalition to speak in support of item 67. The formal apology for Austin's participation in the enslavement of Black Americans is long overdue. We can't overstate the

urgency for our city's commitment to rectifying the the exploitation but to take these necessary steps forward. Thank you.

[10:57:48 AM]

>> Johnny hill. >> Hello. So I'm speaking about item 67. I'm not sure if I'm for or against it. Just kind of listening to some of the other callers. So I'm from Austin, native Austin, and the disenfranchisement that Austin has done to -- I'm going to speak from a personal standpoint, that it has done against me and my people is -- while I recognize the ability to apologize, okay, great, but we're the change of action. I'm not sure where that lies. You tell me -- I apologize for doing X, Y, Z to you, but the actions or the courses that have taken place and that are currently taking place, I don't see no

[10:58:50 AM]

reconciliation. It has -- we've already as a people, black people have been set back hundreds of years -- [buzzer sounding] -- Austin has continuously made decisions and we're even set back. I can't even afford to live in Austin, right? >> Speaker, your time has expired. Jordan Gutierrez. >> Hello, can you hear me? >> Yes. >> So I'm calling in support of item 67, and I would assume that city council would be in support of it as well. This is the morally right thing to do when it comes to responding to hundreds of years of oppression of my people, when it comes to Austin specifically, this is the right response when it comes to reconciliation of

[10:59:51 AM]

any kind of -- of many forms when it comes to the homelessness that has been brought -- that's been brought to black people, when it comes to the gentrification, the brutality of our people. We make up about 8% of Austin, but make up 40% of the homeless population due to urban renewal and gentrification and many other infrastructures that place. So I hope that city council supports this because you can't have equality without equity. And we can't talk about apologies without action. So after this apology and after that is agreed upon, funding, resources for our people specifically -- [buzzer sounding] -- We have been specifically targeted and have been specific victims of oppression and racism and systemic racism. I yield my time. >> Dawn Dallas.

[11:00:52 AM]

>> Hello, can everybody hear me? >> Yes. >> My name is Donald Dallas, a direct decent ant of the freed man slave towns that was displaced. It touches me a little bit different. I'm a little more passionate about it because, like I said, I was directly affected by the disparities that the city has put upon African-American communities here. So I'm in support of item 67. I ask that you guys be in support of it as well because, quite frankly, we're tired, our backs are against the wall, and it's getting to a point we don't want to beg no more. We don't want to beg no more. We're going extinct, so we're ready, we're ready for a change, for you guys to do something about it. That's all I have to say. Yield my time.

[11:01:52 AM]

>> Chas Moore. >> Good morning, y'all. KHAS Moore. I want to start by reading a quote by Jill stein. The holocaust of Nazi Germany is no less of an historic crime that the holocaust that went so for centuries against African-Americans. That and truth in reconciliation discussion was extremely helpful in Germany and we need to have that here. You know, I've heard so many people say a lot of things already, and I do think that one -- I think this resolution is very broad. And, you know, I think it needs a price tag. But I do support it. I think it's a first step and I think this is part of the truth and reconciliation part. But I wanted to challenge you all and I've been here when we did the about leaps,

[11:02:56 AM]

with the reallocation with the police -- [buzzer sounding] -And I think this is a moment the city can right the wrongs of African-Americans that have been born and raised here or displaced. >> Speaker, your time has expired. >> Take a big step in righting those wrongs. I support it and good luck. >>>>>> Larissa larunio. >> I'm calling in favor of item 67 and item 99. I want to first state that I am a white austinite and I believe it's way past time for Austin to apologize for its participation in enslavement of black people and the harm done to our black community since emancipation. This resolution is an important first step towards correcting our systematically racist

[11:03:57 AM]

policies and practices. As you should already know, the population in Austin is declining. We need to [indiscernible] To include actual financial investment in our black community. I know that's not included in this resolution, but it needs to be followed with it. For item 99, we are clearly still in the midst of an economic crisis caused by the pandemic. In addition we clearly don't have is resources or infrastructure to deal with our comment unhoused population. The last thing we need to is put more as risk of lose homes. [Buzzer sounding] The moratorium needs to be extended until the state or federal government provide aid for people to stay in their homes. Thank you. >> Shaun Gooden. Shaun, please unmute. >> Good morning, city

[11:04:58 AM]

council. Good morning, mayor Adler. Good morning, everyone. Participating in this meeting today. My name is Shaun C. Gooden Sr., third native austinite. Those words hold great weight for me. My family has made it a point to be civically involved on numerous levels. And so I'm calling as a generational descendant for that participation. I'm calling in support of item 67 with a caveat. I love that you are considering the things you should do and that's great. But these can't just be theoretical discussions, they can't just be words and lots of hype to be able to

[11:06:01 AM]

pat yourselves on the back. [Buzzer sounding] This was an economic calamity that you -- and enacted against my community and people and we have suffered greatly economically and truthfully -- >> Speaker, your time has expired. >> Would be economic retribution and funding. So direct --. >> Mimi stiles. >> Yes, good morning. I want to first thank black Austin coalition for working so hard to bring item 67 to this council. And I just want to say I'm for it. As you know, it doesn't take a research study to know black people deserve a check and equitable retribution. Despite decades of advocacy and movements and so forth, we still have yet to see broad-reaching changes within law enforcement,

[11:07:02 AM]

education, housing, wealth in Austin. I urge you all to vote for the passing of real-live restorative justice and look at what Evanston, Illinois, they are the first city to really pay their citizens, you know, over \$25,000 apiece with a \$10 million package. I just urge you again to get in line with other cities like that one who are finally taking the necessary steps to yes, apologize, but yes, pay back the people they've wronged so long. [Buzzer sounding] I urge Austin to be a leading example and compensate black Americans for the loss of generational wealth due to inequity. Thank you. >> Michael Torres. >> Hello, can you hear me?

[11:08:06 AM]

>> Yes, go ahead. >> Good morning, city council. I'm calling in support of agenda item 67. There must be accountability for the harm to black individuals. We need resources and energy devoted to black lives and the effort for encouraging black individuals to thrive in a land where the disenfranchised are often forgotten. We need cultural sustainability to allow diverse cultures to flourish. When local officials are

held accountable, actions are made aware. We know we will have sustainability to fill in the gaps, but the current resources we have in place, invest in local communities lead to respect and understanding. Black and brown individuals are disadvantaged when the same privileges are not granted. We need officials to own up

[11:09:06 AM]

to their action. I yield the rest of my time. >> Kellen guiltersleeve. >> I'm a local rn and a member of Austin dsa calling in favor of item 99 and now also item 67 in addition. I recommend you all -- or I commend you all on measures already taken to protect our citizens from eviction. This call is to urge the council to continue doing the right thing by extending the eviction moratorium in our city until at least may 17th of this year. The majority of Austin citizens rent instead of owning their homes due in part of to our prohibitively expensive housing market. These conditions have you -- I support item 99 for the

[11:10:06 AM]

renters who need our aid and compassion. It is imperative for the health of citizens these items are passed. After listening to testimony today, I support item 67 as a preliminary step. Thank you. >> Emily sawyer. >> Hello. Emily sawyer. I am a white district and urging councilmembers to vote yes on 67. I applaud this resolution coming before council with its start at honest naming of our history and direct corrections to current reality and the words and studies and reports aren't the work of change T work of change is in budgets and policies and expectations and the heavy lift of changing the culture of our systems. Change comes with personal and collective

[11:11:10 AM]

responsibility. It's in how we talk to neighbors and ourselves. Reparations at the personal, city, county, state and national levels will all be necessary to begin to repair the harm done and the access, privilege and resources denied and withheld from those on whose backs we built our own good fortune and at whose expense we created our narrative of white racial superiority. I hope city council will support this resolution and follow through on the work of change. Thank you. [Buzzer sounding] >> Alberta Phillips. >> Hello? Can you hear me? >> Yes, go ahead. >> Okay. My name is Albert to Phillips and I too offer qualified support of item 67. I serve as chair of the echo board and as a commissioner on the Travis county African-American cultural historical commission

[11:12:10 AM]

unanimously established in 2020 by the Travis county commissioners court. I'm also a long-time journalist who has covered racial and social justice issues over the past 30-plus years. I believe this resolution could be a big steps toward healing an open wound and steps to an anti-racist approach but only if the city manager and his tomorrow looks to best practices on developing this kind of introspective. Sorry, I just got my second covid shot. There should be investment in the black community but no foregone conclusions. Two of the initial activities on this front are being done by the city of -- [buzzer sounding] -- Evanston, Illinois. Thank you to mayor pro tem Natasha harper-madison and all the councilmembers who are advancing this resolution. Excuse me. Thank you.

[11:13:14 AM]

>> Elizabeth republic. -- Roam. >> Hello, I'm an attorney and white resident of district 5. I want to thank the council for taking up item 67 today and encourage your approval. This is an important resolution in apologizing for past wrongs by our city against black austinites. I support diverting work and resources to correct ongoing effects of past racist practices. This this could be within the scope of city manager's planning I hope through his office we can find ways to correct the ongoing very visible residential housing segregation in our city. I know many people in my largely white area of district 5 would be interested in working on ways to bring integrate housing into our area. It's important to follow up on commitment of time and funding. Thank you.

[11:14:24 AM]

>> Yasmin Smith. >> My name is Yasmin Smith. I am proud to be a born and raised austinite. Today I come to you and ask for you to vote in favorer of item 67. I ask for this so that Austin can be the community it deserves. I ask for Austin to beckon those that look like me rather than push them out. I simply ask for the life and benefits that are afforded to others that do not look like me here in Austin. As one of the original drafters of this resolution, our agenda is clear and we will not be deterred. I yield the rest of my time, but we will never yield our demand for justice and equity. Do the right thing. >> Mark Williams. >> Hello, and thank you for

[11:15:24 AM]

having me today, council. I'm calling principally about item number 80 and the water. Specifically, here's what we'd like to see for not just our complex, but others without water. We'd like to a. Have tenants given a reasonable timeline to tenants can make alternate arrangements. We would have done differently had we known two weeks ago we would be without water. Prorated rent and no water

changes during the period, Ada standards for water resource provided for senior tenants, landlord pays for water services, and code enforcement. This is key. I looked at the city of Irving. They have a code there. If the apartment complex can't provide water within 24 hours, they have to provide housing. If we had something similar in Austin, many of us that are displaced that do not have water as of today might be able to fare a little better.

[11:16:24 AM]

I am way better off than others. I'm grateful for that. As far as item 67 is concerned, [buzzer sounding] >> I'm a child of god. I see us all equal. We ought to look at our past and acknowledge what we did. I'm going to leave it. >> Speaker, your time has expired. >> Thanks. >> Breonna bird. Breonna, please unmute. >> Okay. Thank you so much. My name is breonna bird. I'm a resident in district 1, a member of black Austin coalition, as well as the operations director of jump on it. And I am in favor of item 67. I want to highlight the importance of this council unanimously passing the resolution, and doing the work to provide restitution to

[11:17:25 AM]

account for the countless losses we as black people have experienced. As a majority of the speakers have mentioned, we are demanding, pass item 67. >> Nuc turner. >> Good morning, council. I want to thank everyone who cosponsored this initiative and thank everyone who supported really understanding the situation that black Austin is in. I represent black Austin coalition. And I'm also the founder and executive director of jump on it. So I'm familiar with a few of you guys. I've been in support of the years of initiatives to edify black youth and educate our community. This resolution here is just step one in the step of many that will actually put black Austin in the position to receive restitution in the form

[11:18:26 AM]

of us the financial investment, and us being able to take advantage of financial investments to grow a thriving black district. So I am in favor of item 67, and we are going to make sure that this -- will get a unanimous decision. So once this passes, then we also will ask you, council, to not only report back with how much money black -- lost to -- [buzzer sounding] >> Action -- a dollar amount to this and we get it going real fast, because we're dying in the streets right now. >> Speaker, your time is expired. >> Every day we have a loss of life. I'm for this. We expect y'all to do what y'all need to do. Thank you. >> Amia bird. >> My name is Amaya bird, can

[11:19:28 AM]

you hear me? >> Yes, go ahead. >> My name is Amaya bird, a black teenager from district 1. I am for item 67. I demand my council members to vote unanimously to pass this resolution. Thank you. >> Brian Bax. >> I support item 67. Do it now. >> Arthur hemenez. Arthur, please unmute.

[11:20:34 AM]

>> Pamela Benson Owens. >> Can you hear me? >> Yes, go ahead. >> My name is Pamela Benson Owens. I'm a long-time austinite and entrepreneur and the executive director of St. Claire Austin black cultural arts district. I am also, along with my colleagues and fellow black citizens, the station of my ancestor's resilience. Please, be intentional in changing the equity landscape of Austin by voting for item 67. This is a handover, not a handout. I know you know it is past time. I fully trust the talented body of leadership I am addressing at this time to move us forward toward a true, sustained --

[11:21:37 AM]

beloved community. I yield my time. >> Dexter bray, Sr. >> Be intentional -- >> Hello. >> Yes, go ahead. >> Can you guys hear me? First and foremost, I'd like to say rising to the city council and black Austin. Apologies are one thing, but actions and accountability is another. I'm a black Austin coalition and I'm for item 67. Gentrification, segregation, and flat-out racism have all been things that have affected the blacks and minorities since the inception of the city of Austin, especially since the 1928 master plan which put a proverbial chokehold on our communities and its occupants.

[11:22:38 AM]

This stranglehold still exists in 2021. Black people are victim of systematic circumstances. Murder, crime rates, poverty, and social injustices or economic equalities won't change until we get the resources we need as a people, the resources we have been deprived of, and the resources we deserve. Pass item 67. [Buzzer sounding] >> Thank you. >> Black and minority -- >> Shanta major. >> Hello, can you hear me? >> Yes. >> Hello? Yes. My name is Shanta major, for justice. Time is of the essence. Why should we pass item 67? Don't apologize. Recognize. And listen to black person solutions. We say in Austin that we are liberal, but it's very easy to say that you're liberal when you

[11:23:39 AM]

push all the black people out of the east side of Austin. Number one, we were pushed there in 1900-1928. The city's plan was to force people to go to the east side. Now they're pushing us out to pflugerville. Now we don't have renting. We are renting. We have very little ownership, poverty, black schools are suffering from lack of funding for supplies and facilities, in liberal Austin. Yes, financial support for housing and healthcare, ownership is crucial. Accountability for our free labor is crucial here in liberal Austin. Are we really liberal? Pass agenda 67, because it is owed to us. Even Austin, the founder, he promoted slavery. He even gave money to people, slave owners. [Buzzer sounding] >> To build everything on our back. So I just would say it is crucial that you hold yourselves accountable for our free labor.

[11:24:41 AM]

Pass 67. Thank you. >> Jonathan chaca. >> Yes, my name is chaca. I'm chair of the Austin commission, affiliated with many of the organizations that have spoken. And I think they have said everything that needed to be said. Following up off of what the last speaker said, the city that considers itself Progressive has -- whether through covert or overt means, displaced its black community and has done it very well, better than any other city in the country. There should be some shame in that. And the shame should then move us forward to change. We have to do more than apology.

[11:25:41 AM]

We have to put money where our mouths have been, thank you. >> Arthur Jimenez. >> Translate. Arguing. There's nothing wrong. That's pretty much -- being black and brown is already against us. The system, it's hard enough. We're starting -- the right way. Yeah. I mean, I'm the same way. I don't care what lifestyle, what background. Even more so -- different.

[11:26:44 AM]

Differently, I guess. It doesn't seem like they want to be -- care about -- go work in rich, affluent -- if they want to be like that. Go work in west lake. Blame us and say -- they had -- [buzzer sounding] >> So much unnecessary -- spending their money. >> Tiffany hart. >> Hi. Thank you. My name is Tiffany hart, a white resident of district 7, in support of item 67. We know based on the history of Austin we have continued to perpetuate harm for black austinites, including the 1928

[11:27:45 AM]

master plan to present day and the number of black austinites that disproportionately experience homelessness in our city. Black austinites have experienced deep personal, institutional, structural, and systemic racism. We know that in order for healing to begin in the city we must first acknowledge the harm that we've caused, and making a formal apology. But apology without change and action is just manipulation. That's why we must provide significant resources, including financial compensation in the form of reparations to begin to make amends to black austinites. We have the opportunity to begin to right the wrongs and eradicate the disparities in our city that continue to perpetuate these harms and I ask you to vote in favor of this. The time is now. Thank you. >> Michael Lofton. >> Greetings, again, it's Michael Lofton. I want to say I'm in favor of

[11:28:46 AM]

item 67. I echo the speakers that have come before me to just share their support and their history. I too many a longtime austinite. I've seen 50 plus years of systemic racism and it has to stop. So it is my hope the city council today will support this and moving forward, not only apologize, but bring about financial resources to bring about a change in this community. And we can talk about race relations all day, but race relations can't repair the harm, the debt that institutional racism has caused. So I will yield my time, but I want to thank nuc, black Austin coalition and everyone that has spoken. It is my sincere hope the city council will take the necessary action today and let everyone in the United States know that it's time for change. [Buzzer sounding] >> And it can start right here in Austin.

[11:29:47 AM]

So, thank you. >> Rita cross. >> Hello. >> Yes, go ahead. >> This is Rita cross of lakeway, Texas. My comments refer to item 2 concerning the treatment of animals for training and control. This proposed ordinance disallows certain devices to be used on animals, and that is admirable. However, it exempts in section C certain animals, mostly farm animals, from that rule. I fail to understand why these animals would be exempt from protection from the use of objects that cause cruelty. I cannot imagine using a ball bat on a horse or any other animal. All animals are sentient beings

[11:30:49 AM]

and feel pain. Cruelty is cruelty no matter who it is inflicted upon. Why this ordinance allows cruelty to be inflicted on some and not others is beyond me. Please do not pass such a measure that allows for cruelty to any animal. This can be rewritten to include all animals, a much more humane ruling. Thank

you for your serious consideration. [Buzzer sounding] >> Shanta major. Shanta, please unmute. >> Laura Morrison.

[11:31:50 AM]

>> Hi, I live in district ten. I'm calling today in sort of item -- support of item 67, a necessary step to recognizing and reconciling Austin's racist history. As the resolution rightly address, the impacts of slavery, segregation, urban renewal projects and gentrification are all key factors in wealth and housing disparities for black austinites. I support the creation of a black resource and cultural center and want accountability measures that ensure the equity, sustainability, affordability, community trust and relationships that I mentioned in this resolution is truly achieved with the community at the table. I think it's necessary for the city, the county, Austin, and Texas to reckon with the racist history and importantly, act on the racial healing through policy, action, and reconciliation. And I think 67 is just one of those steps that's important towards doing that. Thank you. I yield my time.

[11:32:58 AM]

>> Mayor, that concludes the speakers, but we are reaching out to one more that we couldn't get through. So if you can give us a couple of seconds, we're -- one second. >> Mayor, we can't hear you. >> Quincy Dunlap. >> Yes, my name is quincy, president and CEO of the Austin area urban league. [Clearing throat] I am in support of item 67. I would encourage all of the esteemed elected officials that are on the dais to present no bias. This is an opportunity for us to

[11:33:59 AM]

strategically invest in closing the divide and an opportunity to build and move forward. This is an opportunity to invest in the evolution of the black community. So I encourage you to vote yes on item 67. This is but one step on a long journey together. So I encourage you to go with us as allies as we advance and evolve equity and parity here in Austin and central Texas. Thank you. I yield my time. >> Okay, mayor. That concludes all of the speakers. >> Mayor Adler: Thank you. Colleagues, before we go on, just a couple house-cleaning matters. On item number 65, which was the

[11:35:00 AM]

nominations and appointments, there were some that were listed in late backup that I'm going to read into the record. The animal advisory commission, Lotta, one of the -- nominated by the mayor pro tem. The commission on veteran affairs, Kevin, councilmember alter. Commission, Michael, councilmember alter. And also updates to council committee membership. Mayor pro tem, new member of campo is going to join the mobility committee. And I'm going to go ahead and join the public safety committee. These things are on the late backup for 65, but because they're late, I just wanted to read them into the record. Also, item number 29, which is on the consent agenda, had a blank. It's legal settlement for the wells lawsuit. That blank should be filled in with \$75,000 as the amount.

[11:36:04 AM]

Councilmember kitchen. >> Kitchen: I don't know if you officially read it into the record already. Maybe you did. That was the mistake that was made for human rights commissioner. >> Mayor Adler: Yeah, we had handled that one before. >> Kitchen: Okay. So it's officially in the record. >> Mayor Adler: That's correct. And that was Melanie is the human rights commission, not the environmental commission. >> Kitchen: That's correct. >> Mayor Adler: Yeah. Okay. Colleagues, now that gets us to discussion on the consent agenda. Councilmember pool, did you want to say something before we give the opportunity to speak on the consent agenda? >> Pool: I was going to say a few words on item 65, but go ahead with any other comments and then I'll just come in at the tail end. >> Mayor Adler: Okay. Don't let me forget. That will be your job to make sure I don't. The pulled items that I see --

[11:37:04 AM]

the consent agenda is items 1-77 and item 99. The pulled items are item 40, 62, and 68. Colleagues, is there any discussion or comments made on the consent agenda? Councilmember kitchen. >> Kitchen: Yes, I just want to comment on items 31 and 32. This is one of our steps forward with our project connect. These items relate to establishing the city's project connect office and providing the funding for additional ftes. So this is an exciting step forward for implementation of project connect and for the city's portion and role in project connect. >> Mayor Adler: Okay. Thank you. Councilmember alter. >> Alter: I was just going to move passage. >> Mayor Adler: Okay. We'll get there in just a

[11:38:05 AM]

second. Councilmember Kelly. >> Kelly: Yes, thank you so much. Could you please show me as voting no on item 4, 23, 37, and 49? >> Mayor Adler: Yes. >> Kelly: Thank you. >> Mayor Adler: Councilmembers, any other comments on the consent agenda? Councilmember alter moves passage of the consent agenda. Is there a second to that motion? Mayor pro tem seconds that. And continuing on with further discussion on the consent agenda, councilmember tovo. >> Tovo: Actually, if you would come, I do have

some comments that I just realized I misplaced my paper. Come back. >> Mayor Adler: Mayor pro tem. >> Thank you, mayor, I appreciate it. I've had comments on item number 67. I'm so very grateful that with we are able to take this opportunity to have it passed on consent. I'm proud to bring forward the item. This is something that shows the true power of community and

[11:39:06 AM]

collaboration. My team and I worked with grassroots-level advocates to assemble this resolution. We owe them so much credit for what is before us. I also want to thank my cosponsors customer, councilmembers Fuentes, Casar, and tovo for their input and support. Item 67 represents a big step in reconciling the legacy of racism. We cannot move forward unless we recognize the city's role in creating the black and white wealth gap. And I think, you know, I said before and the press conference this morning, to be clear, gap isn't even the right word. It's a chasm. Black austinites make up a third of our neighbors experiences homelessness. A couple of speakers spoke to that this morning. So I won't belabor some of the real specific and particular manifestations of what it is that we're talking about, including the black median

[11:40:07 AM]

household income, African Americans being less likely to go to college, own homes, own businesses, leave inheritances to their children, redlining, urban renewal, displacement, and all of the things that we continue to speak about. I think some of the callers, their concern is, you know, that we don't continue to have the same conversations. And I tend to agree with them, in which case I want to make sure that we don't just settle for words, that we demand actions. Just demands actions. In the coming months I will continue to bring forward community-led initiatives. We're already working on the creation of a true African American cultural heritage district that doesn't just exist in name only. The live music capital of the world will continue to fall short of that name until we have a proper music and art hub that promotes and celebrates east Austin's rich cultural legacies, past, present, and future.

[11:41:09 AM]

So I'll leave you with thank you to the black Austin coalition and grassroots folks who helped my office work on this, and to my cosponsors who helped put it on the agenda. >> Mayor Adler: Okay. Thank you. I wanted to speak to that issue, too, since we're on this issue, because I think this is a really big deal and want to help you mark it that way. I want to thank you, mayor pro tem, for your leadership on this. I want to thank the black Austin coalition and the others in the community that have really sourced this. I want to repeat some of the stuff I said this morning at the press conference, because there's different

folks present. But we have to really take account of the fact that the success of the city and the state began at the expense of slaves. The first census in 1825 showed

[11:42:09 AM]

Austin with 450 slaves, which was 35% of the population count. By 1860, the number of slaves were increasing faster than the population as a whole. The colonization laws gave settlers up to 4600 acres of land, but they got an additional 80 acres of land for each slave. Blacks were kept from voting in 1902, segregated, prevented from voting in the primaries in 1923. '28 we adopted the land plan that we're all familiar with. But in the 1950s, the city council doubled down on those policies. It is a century and more of deliberate segregation compounded by a lack of investment over generations. Our own local version of institutional racism that have had disastrous and completely predictable results, extreme wealth and wage disparities, poverty rates for Travis county

[11:43:10 AM]

blacks, hispanic residents, 2.5 greater than for whites. In Travis county, 28% of all people under 65 low-income have no health insurance. Black residents account for 8% of the population, 20% of people booked into Travis county jails are black. A recent report finds black motorists four times more likely to be arrested after being stopped by Austin police department, as are white motorists. These statistics reflect not a deficit of ability, ambition, or effort, but rather, a shameful combination of racist policy, compounded by decades of inattention and disinvestment by Austin's privileged, mostly white leadership over the ensuing generations. We have done much, especially here recently, to address some of the vestiges of institutional racism and systemic inequities,

[11:44:11 AM]

but not enough. Our pre-pandemic economic success and growth hid from some and delayed the magnitude of the reckoning with Austin's legacy of racism and systemic inequity that's required. Yes, we have been taking some concrete steps, but when we move too slowly, people continue to suffer as a result. We have to acknowledge the road blocks to prosperity for people of color in Austin were set intentionally and their impact has been felt for generations, and will be, unless we act. We must harness the energy of disruption to remake Austin as a city of real opportunity for all. It's going to require commitment from each of us to address our affordability and displacement crisis, to expand healthcare options, transportation infrastructure in every corner of the city, and to ensure our institutions are just and equitable. It's going to require us to make investments. I am proud our city is adding

[11:45:14 AM]

its voice to those calling on congress to develop and execute a national program of restitution for descendants of slaves in this country, to address the yawning chasm, as mayor pro tem said, of wealth gap between black Americans Bega with slavery, widened over generations through reconstruction, through the shameful scourge of Jim crow that remains insidious to this day. We must do the work locally. We're not alone. Cities around the country -- Asheville, Providence, Tulsa and others are owning up to the physical, emotional, and economic violence visited upon people of color by the communities that they call home. This resolution sets forth the beginning of a passway to atonement and restitution, or a movement in this direction. We should support those that are trying to find the way forward. It's going to require from us to be intentional about addressing our history and writing the

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wrongs. It is the work of saying black lives matter. I believe that history is going to remember the years of 2020 and 2021 as the moment that pointed us in this direction of justice, because these were the years that forced us to see injustice unlike any time before. Like someone grabbing and holding our face between their hands and not letting us turn away, forcing us to look at the unfairness around us and our part in perpetuating it. There is no justification for having a ten-year differential in life expectancy depending on whether you live on east or west side of town. And that was before coronavirus, a disease that has killed 1 in every 650 African Americans in our country. One of every 650. We have yet to grasp the enormity of the opportunity gulf

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that separates our neighbors of color from many of their white counterparts. Now is the moment for community-wide introspection and action. Never has the resolve been so great to live in a more fair, more just society than it is today. So let's imagine and do big things. I'm proud we're beginning to do the work to end homelessness, proud of the 300 million project connect fund dedicated to anti-displacement, proud we're working to reimagine public safety and how we keep one another safe, but the call in today's resolution is to be even more deliberate, more focused, more practical and real, doing the work and calling it by its name. Let's address race and do something about correcting centuries of injustice, because it is the fundamental injustice that fuels so many others. Let's do this work. Councilmember Renteria. >> Renteria: Thank you, mayor.

[11:48:18 AM]

I just want to say that as someone that grew up right off of 10th street next to 11th, and actually lived through this episode of seeing colors only, and whites only, and seeing the signs at the greyhound, going to Woolworth's and seeing the counter separating people, there's been a lot of injustice. One of the biggest injustices happened to the Latino, Mexican American people, was the takeover of del valle. Del valle was a man that came down here, had a land grant. He refused to sell it off. And he disappeared. Nobody ever knew what happened to him. And now our airport base, I mean, our airport is there. And there's a lot of injustice that happened here in Austin.

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And I lived through a lot of it, seeing that my friends couldn't go into the swimming pool. They weren't allowed in perma, the state theater. My black friends used to give me money to go in there and buy ice cream so they could eat it outside. They weren't allowed inside. It really just broke our heart. And what happened down to 11th street and 12th street, which was the commercial area of the African Americans, and what they did there with urban renewal and actually went through that whole area, demolished all the housing, they said it was all substandard. And nothing was given to them. They were just moved. There was no compensation, no money for them. They just had to leave. Except for the homeowners that were able to hold onto their

[11:50:23 AM]

land, their house. They were just moved out. And we saw that the decay of the whole area. And nothing ever happened to it, not until the late '90s, 1990s that something actually started to get developed there. And we have a long way to go. I wish I could have said that was not our past, but it is. This date is really horrible. And the way that it's being operated. And every time we try to work on a solution to provide housing, the state kills it. I mean, it's just horrible. And I hope the people of the state of Texas finally wake up and see what's really going on in this state and turn around and help us out. You know, we can't do it ourself. That's the big, big problem that

[11:51:24 AM]

we're facing. We cannot do it ourself. We need the state to help us out. And until the state help us out, we're still going to be struggling. And I've seen it since I was born. And, you know, as soon as I could remember I've seen the injustice that happened here in Austin and the state. And we're not going to be able to solve it on our own. We're going to be putting band band-aids on it to stop the bleeding until the state gets behind us and the cities and gives us the resources and the support. We're just going to be struggling and limping along. And I hope that I can see it within my lifetime, but I haven't seen it so far.
>> Mayor Adler: Thank you. Colleagues, anyone else to speak on the consent agenda?

[11:52:26 AM]

Councilmember Casar. >> Casar: I appreciate my colleagues for speaking so eloquently on this item. And mayor pro tem, I thank you for inviting me to cosponsor it. I think that some of what was said is that this item both really calls out coming forward with a economic plan on reconciliation as well as the black embassy or cultural and resource center. And that's really important. But this item also calls on us to act with more deliberately on all sorts of items, all of the work that we do on the budget, or on criminal justice, or on access to government. We need to be thinking of that I think in a new way after passing this item as we think about and really respond to not just the history of enslavement and Jim crow, but it's continued presence with us today.

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So I just really want to second and third, and fourth the idea that this item is not just about the actions and the be it resolveds, but also how we frame all of our work moving forward with respect to black Austin. And then also, something that I don't know if it's been said as explicitly is, I deeply appreciate your leadership on this item, mayor pro tem, but I think that it also implies that it can't all be on district 1. This is really shared work, and I think us unanimously voting on this shows our shared work and shared commitment to the issues of black Austin for district 4's part, you know, we have the sites of the historic black orphanage where we now have a city building and open space for arts and culture. And we should be thinking about that differently in passing this resolution. We have the Home Depot project in the historic St. John

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neighborhood. Each of us probably have that list of things where we can pull our weight as well, because I so deeply appreciate the leadership of black austinites and grassroots organizations putting this together, and you sponsoring it. But it cannot all fall back on district 1 to solve an issue that really is the whole city's issue. And so I also just want to state that commitment from each of us, I think, for us to all continue to do our part so this resolution isn't words on a page, but continued work. So, thank you. >> Mayor Adler: Colleagues? Councilmember pool. >> Pool: So, I want to speak just quickly on item 67, and then I had the item that I wanted to talk about, a commissioner who was retiring. So if there was anybody else who wanted to speak on 67, I could go toward the end? But I did have something to add

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on that item. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Did you want to go first, councilmember pool? I wasn't sure. >> Mayor Adler: I think she was inviting anyone else to speak. >> Kitchen: Oh, okay. Well, I just want to echo what everyone has said here, including the mayor, councilmember Casar, councilmember Renteria, and, of course mayor pro tem. So, I want to reiterate that. I also want to say that as you said, councilmember Casar, by all of us voting for this, it echoes our support. It signifies our support. As you know, we can only have five people sign on as cosponsors. By voting for this, I'm signaling my support and my commitment to continue the work that I have done and will continue to do with all of you. I think this is an important statement and more than a statement, it is a call to action to continue the work that we have done as the mayor

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mentioned as we go forward. >> Mayor Adler: Okay. Councilmember pool, I'm also going to speak to -- folks have left my office. I don't know if you want me to speak before or after you. >> Pool: Let me start with a comment on 67 and then I'll segue into the commissioners. Is 64 the nominations? >> Mayor Adler: 65. >> Pool: So I, too, many am supportive of the item for the black embassy, the reconciliation work, the history and making sure we capture the history of the city. I would like to ask the city manager as part of the work that is going to be done on this point to make sure that the school for the blind and orphaned Negro children was the title of it in the 1880s, the bull creek road property that was turned into a big, huge

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development a few years ago, that the bull creek road coalition worked very hard on me moralizing that school. Its president and head master, William Holland, was really important to me and the neighbors in that area. And I'm afraid that that recognition has kind of dropped down the list of importance and priority for the private sector folks who are developing the grove. And so I would ask that this be re-prioritized, which was a specific ask at the time when that was approved late in 2016, which, of course city manager, is before you were hired on here. But my colleagues who were on the dais will probably remember the difficulties surrounding that particular P.U.D. Approval. And the piece about recognizing and memorializing with a plaque is what the neighbors were requesting, and support hasn't happened. So I want to note that with all

[11:58:33 AM]

appropriate respect and emphasis, and that the staff, with our development, starts to do work with the folks in the sector who can make sure that happens. So, I now would like to segue over to item 65 and take a moment of personal privilege to acknowledge and honor a commissioner who is retiring after 12

years of service as a champion for Austin's trees. Peggy massio has served as the district 7 appointee on the environmental commission, chair of the urban forestry subcommittee since 2015. But she had already dedicated many more years on the urban forestry board, working to protect one of the city's most valuable assets, our tree canopy. Following in the footsteps of Austin's tree lady, Margaret Hoffman, Peggy leaves her own powerful legacy as protector of

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Austin's natural environment and unwavering champion for trees, especially with her work as one of the architects of Austin's heritage tree ordinance in 2010, and the urban forest master plan in 2014. These protections and plans are more than just policy implementations. They are investments in our future and they represent years of work by city staff, the community, and champions like Peggy. It is work that is never complete. In fact, you might say it's just beginning. And if we are to lead our own legacy, we must follow in Peggy's footsteps and redouble our efforts to protect the natural gifts that are under our care. Peggy always had her eye on the horizon, protecting Austin's beautiful and bountiful natural environment for those who come after us. She wanted to ensure that they,

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too, will walk under our oldest trees that stand as wise and expansive guardians over our creeks, rivers, green belts and parks for many generations to come. Thank you, Peggy macio, for your passion, and your heart, and for your service to this city and to our future. Thank you. >> Mayor Adler: Thank you. And last thing before we take a vote, I want to also recognize two folks for distinguished service. First I want to recognize sly Majid in my office. His service as Austin's first chief service officer began with mayor Leffingwell. After six years in my office, he has now left to join the bottom the bidenadministration. He was responsible for developing engagement plans to

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increase philanthropy, nonprofit support, and civic engagement. He was our connection to the United States conference of mayors. I want to acknowledge his aid during Harvey and Katrina, his work to secure major grants for Austin through large foundations. I especially want to commend his role in helping to achieve net effective zero veterans homelessness in Austin by helping to bring in the public and private sector together in new ways, and by leveraging dollars. We missed him last month and I wish him the best in his new role in the administration. I also want to recognize the distinguished service and departure from my staff of John Mike Vincent Cortez. He was one of the first two hires in my office. And I came into office wanting to do big transformational things. And that was the only way that I

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talked him into coming aboard to help. He already had elected public service as an ACC trustee. He had real practical experience with so many of the important issues. And his role with cap metro before he came in. He had already had these leadership roles. And some of his and my biggest public priorities, policy priorities, historic investments in mobility and workforce development, and affordable housing. He led the effort in our office on strategic housing plans, the regional workforce master plan, all of which will make Austin more inclusive and affordable for generations. So much of what I am proud of in my time thus far in office has John Michael's fingerprints all over it. I am grateful and proud he is my friend. I wish him the best in his new role at Google, where he will

[12:03:38 PM]

earn more than I could ever pay. I will miss the service, support, advice, counsel, passion of both John Michael and sly. With that, colleagues, I want to take a vote now on the consent agenda. And then we can hear from the citizens communication speakers. Councilmember tovo. >> Tovo: Mayor, with apologies, I had indicated earlier I had comments. I hate to pull us back in. Thank you. Those tributes for several really valued members of city hall, as well as, of course Peggy on our board. I wanted to say a few words about item -- first, items 42 and 43. These are items that are very related to the work that several of us did on a work group looking at the use of outsourcing contracts. And these contracts keep coming back to the council.

[12:04:39 PM]

And we keep delaying, really, what the council as a whole had supported of bringing those positions online in those areas where there is a consistent need for those services. So having met with the related city staff -- and I appreciate their willingness to do that -- I'm going to support keeping them on consent today, but I would add the direction to our manager that number one, there be funding built into this year's budget to bring these positions in online -- bring these positions into the city. And if that is not possible, then I would urge my colleagues to really support an amendment that we bring forward to make that happen. This is a commitment that we made to our city staff and by our city staff, I mean not just those who are official city of Austin employees, but also those who work in our buildings, clean cleaning our buildings, working

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doing security, fulfilling roles of our permanent city staff. It's my understanding that there may need to be more lead time on that for the custodial in-sourcing, but that security, the security piece may be able to be achieved this year. Again, if we are able to identify funding in the budget. So I'd like to ask two things. One is what I just asked, manager, that you include money in this year's budget for the security piece to be brought in-house, understanding, of course, that there are some positions that are better handled as contract positions. But for the bulk of those positions to come in as city of Austin employees. And then I'd like to ask for an update by may. I think it would be appropriate to potentially present to one of our committees, maybe audit and finance, but at least via memo I would like to have presented to the city council some plan for

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how -- if our city manager is proposing a phased approach for the custodial staff, by may I'd like to hear an update about what that phasing might look like. So I'll pause there in case there are any questions, and then I have some comments about other items as well. >> Mayor Adler: Why don't you go ahead. >> Tovo: Mayor, I'd like to confirm item 24 is postponed. >> Mayor Adler: Yes, to March 25th. >> Tovo: Great. Thank you. I'd like to highlight for one moment, item 37. So, for longer than I've been on council, there have been community conversations about the importance of really working together with school districts in our area, and looking toward joint use agreements, and really using the school campuses as community schools, as places where other kinds of services are co-located to support those families of students, not just

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the students themselves, but also the families of those students. And so 37, I just want to highlight as a great example of that. Austin public health, from the backup, it looks as if it's going to locate some of those public health services there on the campus, and that's just -- I just want to applaud them for that and offer this as a challenge that, you know, as we continue to think about how we really work with our other intergovernmental partners, the idea of sharing spaces really is something I hope we can do more of. And then lastly, I would just like to just to add my thoughts and real thanks to our mayor pro tem, harper-madison, for her leadership on item 67. I was really honored to be asked to cosponsor that, and I really thank you for your leadership and for the community members that helped cocreate that. The resolution itself states

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Austin is a place where leadership comes from the people. And, you know, it is a multifaceted resolution, as my colleagues have said. But it is very -- the statement that we're making in passing this is

also really significant. And I think worth highlighting in that we as members of the city council are passing this resolution and showing a formal apology for the city's participation in the enslavement of black people and for the resulting systemic discrimination and inequities, and the chasm, as mayor pro tem harper-madison described, that exists in terms of economic equity. So, thank you, again, for your vision on that. And in addition -- and I look forward to supporting the outcomes and that investment that I know will come from the

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good work that our manager is going to do in collaboration with our community. >> Mayor Adler: Okay. Is that it? Anybody else? All right. We have a consent motion in front of us. Consent agenda items 1-77 and 99. >> Tovo: Apologies, mayor, I'd like to pull number 2 as well. >> Mayor Adler: Okay. Pulled items are number 2, 40, 62, and 68. I believe it's been moved and seconded. Let's take a vote. Those in favor of the consent agenda, with the comments noted, please raise your hand. Those opposed? It's unanimous -- are you opposing, councilmember? You froze for a second. It's unanimous with the items mentioned. All right, colleagues. We're going to now move to the

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speakers on citizen communications. Clerk, do you want to call them? They each have three minutes. >> Okay. The first speaker is haseeb Abdullah. >> Hello, mayor, councilmembers? >> Go ahead. >> Hello. Yes, can you hear me? >> Yes. >> Okay. My name is haseeb Abdullah and I have been living in district 7 for several years now. I come here today because of what I see as an increased political polarization where city of Austin residents including myself feel increasingly that their local elected representatives do not listen to their concerns, or they are drowned out by groups or individuals who have a more established line of communication with their elected leaders. And why elections are the main barometer for public sentiment. Elections, increasingly drown out many viewpoints wishing to

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be had, because it's not easy to get your viewpoint heard with the people who are running for elections, and people who eventually win elections. And I have two suggestions that may lessen the feelings of helplessness felt by many of my fellow citizens. Both are not new. I'm sure everyone on the virtual dais has heard them before, no doubt. The first is to allow councilmembers to have a veto power if a new building or facility is being purchased or built only in that councilmember's district. For example, sport venues, facilities for city purposes with or without city revenue being involved would include that. So, however, this councilmember can always be overcome with a supermajority vote. That would ensure a single councilmember could not weigh unreasonable say in any one matter. But it would still ensure that

those most impacted and closest to that district would have a real say in what happens in their respective communities. The second one would be to have

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a publicly accessible official city of Austin councilmember complaint page, where every verified district constituent of a councilmember can complain one every four years. Having such a limited, re-tractable page would encourage people to run. Such a forum would better balance the inequities that result in an incumbent during election time, which are usually financial and name recognition, that the challenger does not have. This complaint page would not require a councilmember to do anything, but some may use it as a useful tool when their office may have ignored a district member or bring light to an issue that the councilmember or staff may have not been aware of. So, I just am happy to meet with anyone and discuss this further

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in detail, if anyone would like. I just think these suggestions can get us closer to a government that works for all. Thank you for your time. Thank you for your service. >> Prabhakaran arcot kumaravel. >> Mayor, city councilmembers, can you hear me? Hello? >> Mayor Adler: Yes, go ahead. >> Okay. Yeah. Honorable mayor and honorable city councilmembers, I'm honored to first thank you for the opportunity to speak here. And I haven't spoken in a council meeting before. Pardon me if I make some mistakes. I'm here to talk about the eviction moratorium. I'm a small landlord with two to three properties and I have been very impacted with the moratorium. So basically, like, we have --

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this has been impacting us -- impacting me for more than eight months now. I've been without rent for more than eight months, but I still have bills to pay. So I'm kindly requesting you to -- I applied for assistance but didn't get it yet. I'm requesting you to consider us giving some property tax break. I have an eviction filing notice in the court so I can provide that. So some sort of relief for landlords who are suffering silently because of the moratorium, if you could help with some property tax, that would be great. And secondly, I want to also urge the mayor to kindly consider putting through the eligibility criteria for a moratorium. Currently, you know, the only eligibility criteria is if the tenant has, you know, rent that's less than \$2,000, they are eligible for the moratorium. But I want to tell you there's a bad actor in my apartment

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currently living. And he has refused to pay since September, just like that. There's no reason. He has not gone through any unemployment or anything like that, but just refuses to pay. That's taking advantage of the moratorium here. So I'm kindly requesting you, Mr. Mayor, if you can help with making -- I'm requesting you to have the tenants prove their eligibility for moratorium protection. Today it doesn't happen. And if you can help enforce that, that will help weed out bad actors. So, those are the two things that I wanted to discuss today. And get your inputs if possible. That's all I have. Thank you for your time. >> Mayor Adler: Thank you. You broke up for me. I don't know for anybody else. But for me during part of what you said.

[12:16:54 PM]

If you could reach out to Ashley in my office, I would appreciate you making that contact. Please, next speaker. >> Ethan Smith. >> Hi. Good afternoon, council. I know it's been a rough month. Thank you for your service. It reminds me that I never want to run for office and that's a good thing. I wanted to update you. You know I'm doing a thesis on how UT makes student housing zigs. Decisions. It's a lot of longitudinal work, 30-year data sets of the housing and budget, looking at how UT has approached the on-campus housing benchmark over that same time period, as well as the location -- potential locations that UT might build. And I wanted to update you all that I have sent some

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preliminary chapters to UT system. I sent them to their general counsel, Frederick, and she emailed me back saying essentially, you know, I can't comment because this is related to track, and no one can comment on that. I can't comment. But is it okay if I second this to these people, and they're like by all means. I'm hopeful it's going to get looked at seriously by UT system. As far as the brac track conversation, it suggests even though the basic outline that preserved the golf course, you know, trying to make money on the other side is the same, there's a lot of different inflection points that are important. I think helps out, y'all don't have leverage to get UT to build more housing. But if you do it at health south you do. I only have three minutes. I can explain that later. UT because more for equity by building at market rate than

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anybody else does at 60%, 80% mfi. Something counterintuitive. But this is what I go around presenting on. So, you know, I think I know how to get UT to build housing, how to get them to build a lot of housing. And that's going to create a giant revenue stream, probably at least as big as half of the track

revenue stream, just in housing and dining, which would then be under the vice president of student affairs' portfolio and would be a slide towards equity commitments. So I'm hoping to present to city staff on this soon so that some of these new ideas can kind of circulate and we can build a knowledge base. And that's where I'm at. And I will contact your office, councilmember tovo and councilmember alter, and if there's a way to present that doesn't impinge on can't talk about a closed negotiation, I'd love to present some of my material. And to the mayor's office. Thank you. >> Eric Mccowan.

[12:19:59 PM]

>> Thank you, councilmembers, mayor Adler, thank you for the opportunity to speak, I will keep my comments brief. I am a lifelong resident of bastrop county and a frequent visitor to your city. I am dropping in today to make you aware of a 2,000-acre solar farm slated to be built in our community by rwe renewables. You have a direct connection to this project, for Austin energy plans to build a distribution station at the site to send its electricity into your city. Residents are frightened at the prospect of the development being built across their fence line, where every animal will be eliminated. For comparison, 2,000 acres is as large as the city of smithville. I am not here to disparage renewable energy. I enjoy the notion. Attempts to make the city carbon neutral are good. My support stops with billion-dollar corporations come to town unheard of and do deals

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behind closed doors, making plans that will change the landscape forever, while asking for millions of dollars in tax breaks. You should be hearing from one of our organizers shortly, Jim, whose property abuts this facility. We witnessing a contractor begin the work of sawing and grinding every century-old oak tree in sight. In Austin, you call these heritage oaks and they are protected. One of your councilmembers commented on these just moments ago. I ask you to research if you haven't already, the green energy that you see and ask if the process itself is actually as green as advertised. Chopping down native forest and bulldozing pasture land is not renewable and not the way to get to a carbon-neutral footprint. We are the rosanky alliance and I have submitted a brief packet if you would like to view it that shows a map of the proposed farm, and the beginning of the instruction from this week, our web address, and some additional

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remarks. I know your intentions are good and my comments are unlikely to stir you to halt this, but I want you to be aware of consequences this is having. We find it highly ironic that solar companies have to chop down every green tree in sight in order to get their green energy. Thank you for your time and I do appreciate your service. >> Jim rose. >> Hello, mayor and city councilmembers. I'm just going to

follow up and add to what Erik that was before me said. I am a landowner that will be right next to what rwe is building, okay. They will totally destroy, take everything down to bare soil. My part today is the

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environment. I love the wildlife on my property. The deer, great. My deer feeder is approximately 50 yards from what will be a chain link fence with barb wire on the top. Rwe and lone star lied, lied to the bastrop commissioners court saying that they had stududies by the parks and wildlife and the U.S. Fish and game. Open records I found out no studies were done, no boots were on the ground. Most likely, my wildlife will be destroyed. Okay. The next thing. My property value. Because y'all want green energy, my property is going to go down. I'm going to go -- to be hurting because y'all are gaining. Okay. Who in the world wants to live next to this? I moved to the country because I wanted nice, peace, quiet,

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wildlife. Okay. No -- this. Because of the city of Austin, Austin electric, which mayor, I don't even know if you know of this project going on down here. I ask you to please find out. The city of Austin, Austin electric, hired rwe, big star to develop this solar project. You -- I feel like y'all are responsible and y'all need to take a look at it. This is 2,150-acre project. Basically, I drive down cheddar road and it's three miles north to south on this project. Okay. Y'all need to keep an eye on who does work for the city of Austin and how they do it. They've hurt people down here. We have one gentleman, Tommy Swinton. He had -- had 200 acres. They bought and leased property

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all the way around him. He has old family land handed down through the centuries, okay? They basically forced him out. Is that a way to do business? No. All right. Following with this Tuesday, like Erik said, they started clearing. Mr. Mayor, find out what your people -- that means Austin electric -- they're destroying property as we speak. Please have them stop it and find out and act decent toward people down here. [Buzzer sounding] >> They do not have any environmental paperwork. They refuse to. If this was going on in Travis county, and in Austin, y'all would -- >> Speaker, your time has expired. Matt Goodman.

[12:26:07 PM]

>> Hi. First, I'd like to thank the mayor and the city council for this opportunity to speak. Public input is a critical component for a healthy democracy. My hope is that some of the thoughts I present today can help to better prepare Austin for future disasters that we will face. I would like to point out that Jeff is director of the national center center for disaster preparedness, and helped me with this. The recent power issues are part of a complex problem, despite attempts to oversimplify them. It's important to recognize that disaster preparation sets the stage for disaster response. How well preparedness is done will dictate how response mechanisms perform. We must acknowledge preparedness goes beyond intention. It extends to overarching issues

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like access to transportation, infrastructure, and housing security. These issues are obviously multifaceted. But they relate to disaster preparedness. Next, on the topic of disaster communication, communication with the public is always a really important aspect of disaster response, but it's even more important when dealing with an unfamiliar threat, like the prolonged freezing temperatures. All communication really should contain clear actionable recommendations, with specificity. It needs to be consistent. All major communication outlets should be making the same recommendations. I think we need to look no further than the pandemic response to see how inconsistent communication can significantly hamper response to disaster. Because this information needs to reach a broad segment of the population, you need to employ a broad base of communication channels, utilize formal communication systems, if time

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allows. Also, information from different sources, different people trust them, by utilizing other community organizations, churches, schools. This allows messages to reach a broader resident base than have access to official channels. In the interest of time I'm going to skip the topic of climate change mostly, but it will suffice to say we must begin to imagine a future in which historically rare weather events are not so rare. It is my opinion that one glaring failure during the storm at all levels was poor communication with the public. The communication started too late and was inconsistent and failed to contain specific recommendations. We must acknowledge that the current push for weatherization infrastructure will prevent most but not all future infrastructure failures. [Buzzer sounding] >> And with that, I will include my contact information if you guys have any other questions. Thanks again. >> Reuben Rivera Clemente.

[12:29:19 PM]

>> Hello. >> Go ahead. >> Reuben, please unmute. >> How about now? >> Yes, go ahead. We can hear you. >> Okay. Like I said before, I've used this avenue to express my frustration with the police department, specifically in unit. But I've decided to communicate about what happened to my grandson, who has my same name, except I'm senior and he's III. On January 24th, my grandson was shot at in his vehicle while going to see his sister. At that time, my son and my daughter-in-law went to the scene and they called the police. I believe it was three to four times. And during those calls, the police said that they had more urgent calls. So after several hours of

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calling and waiting for the police to show up, my son picked up the shells, you know, and then my grandson -- I believe I told you it was my grandson. He lived in pflugerville. And eventually the pflugerville police made a courtesy report. Now, I didn't find out until January the 30th, that Saturday, they informed me of what happened on the 24th, which the police didn't do their job, period. My daughter-in-law went and checked into it and according to her, she thinks it's because the police got defunded, so they're pretty much washing their hands when it comes to the situation. I feel the attack is personal. I've been black listed by the police department because of the many complaints that I've filed, going on 18 years now, five different locations. Now, my situation, on

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January 29th, that Friday, there was a person in the same general area where my grandson was shot at. There was a person that was killed. He was in a vehicle. He was shot at. And the problem is, is that same general area and the description of the vehicle is the same as the one that my grandson gave, describing that vehicle, a four-door sedan, light-colored vehicle. And in my opinion, if the police would have done their job back on the 24th and investigated, and released the news, maybe that young man would have been alive today. At least that's what I'm speculating, you know. Now what I did is that you already know from -- I'm hoping you're reading my emails, as well as my phone calls, because I've called everybody, including the city manager and the assistant city manager, and the mayor, my councilmember Greg Casar and occasionally all the

[12:32:22 PM]

councilmembers, through austintexas.gov about what I'm going through. But this is about my grandson. I went to my substation, I communicated with sergeant Lawrence Davis and told him what happened. He looked in the computer and stated to me -- I quote -- there's nothing there about that. Which means that the police are not doing their job. You know. If anything, they're showing me that -- [buzzer sounding] >> I'm still thinking it's because of me complaining about that. But the bottom line, they still

have a job to do. And my grandson is in shock. He's only 21, you know. And I sent you guys the emails. I sent you the picture of the courtesy report from pflugerville police department. >> Speaker, your time has expired. >> I sent you -- excuse me? >> Your time has expired, sir. I'm sorry. >> More to say.

[12:33:24 PM]

>> Sandra Pardo. >> Thank you. Good afternoon, mayor and city council. I'd like to thank you for the opportunity to come before you. What I'm hearing and seeing on the agenda today, that I've done research on since December 3rd, there are a lot of people that are underpaid and not enough employees. I've listened to the programs. And what I did is, I'd like to sit down and talk to someone. And I came up with a formula. And basically, what I'm seeing here and hearing is that we are underpaid, overworked, and that goes in many offices, and that we're low budgeted at this present time. I came up with this due to the fact that the pandemic -- paying money. And also with the ERCOT going

[12:34:28 PM]

forward that has not been completed. The formula I came up with should help alleviate a lot of the frustration and lack of funds. And what I'm wanting to express is this package that I came up with, financial planning is an emergency packet to bring us up to par as close as we can being under funds. I did a simple financial -- for Travis county. What I used was 2020 census bureau. And in this 2020 census bureau, the population of the city of Austin, because I am an Austinite, born and raised in Austin, with a fixed income, and it came out to a rather nice payment. And I call this the emergency packet repayment towards COVID pandemic 19 and other emergency

[12:35:31 PM]

packets such as ERCOT, electricity. Listening to many people here in Austin, Texas, I believe, what I'm hearing that we don't have enough to go around with, you know. We want all this to be done, but like I said, people are underpaid and overworked. And in order for us to move the structure back to a focus, I think that this is something on this formula, if you would take this into action or take this for review before, I think that this would be something that could help out on many projects, regarding whether it's housing, the frustration of people. We've got doctors, we've got hospitals, we've got law enforcement. We're talking about land. We've got people that live here. We've got COVID-19 people on the street. Our focus, I think, is to fix that problem so we can all go forward. And so I think that if we can do something like that, it would help to be positive.

[12:36:32 PM]

I would like to see this packet go to the house of representatives. [Buzzer sounding] >> With the same format so that way it alleviates everything in countries. I think that it goes according to taxpayers. I think this is something that could be very positive for all of us. >> Speaker, your time has expired. >> I'm sorry? >> Your time has expired. >> Are you there? >> Please verify. >> I appreciate it. Thank you. >> Mayor Adler: Thank you. >> Thank you. >> Mayor, that concludes all of the 12:00 P.M. Speakers. >> Mayor Adler: Okay. Thank you. Colleagues, it is 12:40. We could stop right now, take an hour break come back at quarter to 2:00, or maybe knock off an item or two after 15 minutes,

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and then -- part of the zoning speakers at that point. The items still in front of us are items 2, 40, 62 and 68. We also have two other nonconsent items, item 79 is a public hearing and 80 is a public hearing. And then we have the executive session session, which is a discussion on personnel. And then we have the zoning items. Councilmember tovo. >> Tovo: I'd like to suggest that we do take a break. I think that maybe we're moving towards -- I would also like to just postpone item 2 and ask that our animal advisory commission take a look at that in light of some of the issues that were brought forward, especially with regard to the exclusion. So if my colleagues will support my postponement, then that at least gets that item off our

[12:38:38 PM]

agenda for today. >> Mayor Adler: Is staff here on that item? Is there any problem with postponing that to address the question, I guess, which councilmember tovo, is why isn't it more universally applied. >> Tovo: Why would we have an exception that allows you to use a baseball bat on a goat and the other animals in there. >> Mayor Adler: Manager, I don't know if staff is here to tell us whether there is a problem with that. Councilmember Kelly, your hand is raised. >> Kelly: I would like to second the motion to postpone. >> Mayor Adler: Okay. Manager? >> Yeah, we can work with that. This came from the commission, but I think having them review it again will be something that we can accommodate. >> Mayor Adler: Moved and seconded to ask the committee to help us with that. >> Tovo: If I could just also add, we had kind of a vigorous conversation around the use of bullhooks within this community. I'd like the animal advisory commission -- likely there has

[12:39:38 PM]

been a lot of changeover in the years since the city council passed that resolution. I'd like them to consider the exception in light of that further work that the city council has done as well. >> Mayor

Adler: Okay. A motion to postpone so it can go back to the commission has been moved and seconded. Any discussion? Those in favor, please raise your hand. Those opposed? I see it unanimous on the dais with councilmembers -- mayor pro tem and councilmember Renteria off the dais. And councilmember alter also gone. Thank you. The others voting to postpone that item. Mayor pro tem is back. Any problem with voting to postpone? No? So, it's just councilmembers Renteria and alter. It's 12:40. Come back at quarter to 2:00. How about 2:00? Would people prefer coming back

[12:40:39 PM]

at 2:00? We would start with speakers, then. Yeah, let's do that. It is 12:40. We're going to take a recess of the city council meeting. We'll come back at 2:00. When we come back at 2:00, we're going to start with the zoning speakers. I'll see you guys then, 2:00.

[In recess until 2 p.m.]

[2:04:30 PM]

>> Mayor Adler: Today on March 4, 2021 on Thursday, continuation of the city council meeting begun this morning and then recessed for lunch. Colleagues, we have speakers that are called here to speak at 2:00. We have some speakers that are signed up to speak on the consent agenda items. Item number 94 is being pulled for speakers, so we're going to take the zoning consent speakers and then we'll take the applicant and then speakers that have signed up on item number 94. We had asked the staff to take a look at how we do calls during zoning cases and they're continuing to look at that. Haven't quite worked out what that needs to be for future meetings, but for

[2:05:31 PM]

today this is how we're handling it today because basically most of the people that signed up had signed up on just one case. One of the cases that's on consent, however, is, as I understand it, a request for a postponement, one person to speak in favor of the postponement. So I'm going to ask Jerry to come and help set us up. But if that's the case then it would be my intent to let the speaker -- the pro postponement and the applicant speak to the issue of postponement. If it's postponed that's the way it will be handled. If it's not postponed then it will stay on the consent agenda for people to be able to address in that first group. Yes, Kathie? >> Tovo: Mayor, what item do we have speakers for? >> Mayor Adler: Clerk, do you want to answer that question?

[2:06:33 PM]

Other than 94, what cases have people signed up to speak on on zoning? >> 96, 97, 98, 90 and 95. I'm not sure if they've all called in yet. >> Tovo: I think that technically I need to be off the dais during a conversation on [indiscernible], so if we have a sense of when those speakers are coming up I will remove myself from the virtual dais by clicking my stop video if that's sufficient. Is that the best way to handle that, just to remain in the meeting but just click myself off? >> Yes. >> Tovo: Okay, thank you. >> Mayor Adler: Councilmember Fuentes? >> Fuentes: Yes. I also have a request for a postponement for item number 98.

[2:07:37 PM]

>> Mayor Adler: Okay. Jerry, are you with us? >> Yes, I am, mayor. >> Mayor Adler: Let's handle the postponement items first so we can see what's postponed and what's in front of us. Does that work for you? >> That would be fine, mayor. The items that we have listed for postponement today are item number 94, which is that discussion postponement case that you spoke of a moment ago. We have one speaker who is requesting a two-week postponement. So we'll get to that person in a moment. On item number 96 and 97 we have a staff requested postponement to March 25th. And item number 98, councilmember Fuentes is requesting a postponement to March 25th. >> Mayor Adler: Okay. As we go through these normally on items 96 and 97 -- we have someone signed up to speak on that item too, is that right? Are they with us today?

[2:08:39 PM]

>> I don't see that person. It's Michael Canady. I'm not sure if he is on the line. >> He is on the line. >> Mayor Adler: Okay. Mr. Canady, do you object to the postponement? >> One second, mayor. >> Mayor Adler: Is there a way to find out? >> We're moving him over. >> Mr. Canady? Mr. Canady, please unmute. He's on the line, mayor, but he's not responding. >> Mayor Adler: Is he speak -- I guess we wouldn't know. Is applicant and everybody that you've talked to, Jerry, okay with that postponement? >> Yes, mayor. It did require postponement. There was a notification

[2:09:40 PM]

error, so we can't take that up again. >> Mayor Adler: That makes it easy then. 96 and 97 will be postponed. On item number 94, we have punish person who wants to speak in the postponement or in favor of the appointment and the -- postponement and the applicant speaking against the postponement, is that correct? >> That's correct. That one person is Ms. Nadison. >> Mayor Adler: If

that's on 94 that's where we are segregated the speakers otherwise, is that right? >> That's correct. >> Mayor Adler: We'll pull that right now and not deal with that. On item number 98, councilmember Fuentes is seeking postponement on this item. You were trying to postpone to a time certain? I think the next meeting is March 25th or something. >> That's right, March 25th. >> Mayor, I think we've got Mr. Canady on the line.

[2:10:40 PM]

>> Mayor Adler: Okay. Why don't you hold on to that and we'll get -- >> Okay. Let me know when you're ready. >> Mayor Adler: We'll do that when we get to 94 in a moment that was otherwise pulled. Sorry about that. I'm on number 98 right now. You said you have a speaker that has signed up to speak on number 98 that's in this first group, is that correct? >> Mayor, we have two speakers on 98, it was Justin Morgan and Mario Cantu. I don't know if they're on the line, though. >> Mayor Adler: Do either of them want to speak against the postponement? >> I don't believe so. One was signed up for and one was signed up neutral. So I don't believe that they would be opposed to the postponement. >> Mayor Adler: Okay. Colleagues, any objection to postponing those? Hearing none, that will be

[2:11:40 PM]

postponed. If those speakers wanted to speak against it, make sure that they do and we can always reconsider, otherwise this item will be postponed. All right. Let's hear the speakers on the consent agenda, which is item 87 through 98, but not including 94. And I'm also going to let speakers speak on 98 if somebody wanted to speak on the issue of the postponement, otherwise 98 will be postponed. Okay, clerk, why don't you call the speakers to speak. On the other than 94 cases. >> Ivy Kaiser? >> Hi. This is Ivy Kaiser. The the director of shoal creek conservancy. I am here to speak on item 90 when it comes up. If there is any information needed from us on our

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support of the restrictive covenant amendment for the sixth street bridge improvements. >> Mayor Adler: It's probably going to get handled on the consent agenda so if you wanted to speak to it, now would be the time, but I think we gathered your support for item number 90. >> Okay, thank you. >> Mayor Adler: Thank you. Next speaker. >> Shelly Mitchell. >> This is Shelly Mitchell. I'm actually part of the applicant group. I did not mean to sign up as a speaker. So I really don't have anything to say unless there are questions called upon us later. I'm sorry for the confusion. >> Mayor Adler: That's okay. Next speaker? >> We're trying to get Mike Canady back on the line and he would be the next to speak. Otherwise the others are for item number 94. >> Mayor Adler: Okay. Was the postponement request

[2:13:43 PM]

on 94? Did I mess that up? >> No, mayor. On 94 that is the one where we're taking all the speakers together. There is one person who wants to address the postponement. >> Mayor Adler: I'm not calling up 94 right now, which is what Mr. Canady would speak to -- >> No, Mr. Canady is on 96 and 97. Which is also being postponed. >> And he is available on the line now. >> Mayor Adler: Okay. Mr. Canady, this is an item that hasn't been posted properly, so it's required under law that we can't consider it today. >> I understand. >> Mayor Adler: Okay? >> You can't hear me. >> Mayor Adler: I can hear you. I can hear you now. But we'll invite you to come back and speak. This has been postponed to March 25th. >> Yes, sir, thank you very much. Appreciate it. >> Mayor Adler: Thank you. >> Okay. Then we've got one more for

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98 who is Justin Morgan. >> Mayor Adler: Okay. >> Hello. >> Mayor Adler: Mr. Morgan, there's been a motion to postpone this case to March 25th. Do you want to speak to the postponement request? >> I would prefer to speak my mind about it now because I took time off from work in order to attend the conference, but if it has to be postponed, that's all right. >> Mayor Adler: Okay. If you're here I'll let you go ahead and speak about it then. Go ahead. >> Okay. Thanks. Well, it's been a long time since anything has been on that lot and so I am for the zoning change with a condition that it be part of the lot be set aside for a plaza or a park because I

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think that would really enhance the neighborhood. And a lot of us informally use it as a dog walking area. I don't, but some of the neighbors do. So I was hoping that if the final site design of this lot could include some sort of public amenity like that, that would be greatly appreciated from the neighborhood end. Other than that, I would like to see the zoning changed because something should be built there and it would really help out with the housing crisis in the city, more apartments and more opportunities for businesses to develop in that area to see how it will be a mixed use development. Also from a planning perspective I prefer that we have a traditional neighborhood design so parking in the rear and building up close to the

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street, sidewalk area, easily accessible by pedestrians and things like that. Essentially I would like a nice development in this area. I think a zoning change would be appropriate. >> Mayor Adler: Okay, thank you. Jerry, do you want to take us through the consent agenda? Which is everything except 94? And which notes that 98 going to be postponed to the 25th of March. >> Hurricane mayor. Jerry rusthoven with the housing an planning department. First item is item 87, c-14-2020-0116. I can offer this case for consent approval on he could reading only. I believe councilmember kitchen wanted to make a statement. >> Kitchen: Yes, may I make this statement now? >> Mayor Adler: Let's let him run through and then you can do it before we vote on

[2:17:45 PM]

the consent agenda. >> The next item is item 88, npa 2017-0021.0 Austin. I can offer on second and three readings. Item 89 is c-14-2019-01 seven. I can also offer this for consent approval on second and three readings. On item 90, c-14-2009o151. Item 91 on consent approval. Item 92 is offered for consent approval on all three readings. On item number 93, case c-14-2020-0091, I can offer this case for consent approval on first reading only. Noting that the applicant has amended the request to gr-mu-co zoning. Item number 94 will be a discussion case. Item number 95 is case

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c-14--2020 on0110, I can offer this for consent approval on all three readings. Item 96, npa 2020-0027.01, this is a postponement request by the staff to March 25th. Related item 97 also a staff postponement request to March 25th. As you said, mayor, item 98 is c-14-2020-0134, councilmember Fuentes is requesting a postponement of this item to March 25th. >> Mayor Adler: Before I recognize councilmember kitchen for her statement, is there a motion to approve the consent agenda. Items 97 through 98, except number 94. Is there a motion to approve it. Councilmember Ellis makes the motion, seconded by councilmember kitchen. Now discussion on the consent agenda. Councilmember kitchen. >> Kitchen: Yes, thank you. For item 87, which we're

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going on consent for second reading, the issues have related to old San Antonio road and the safety of that road, particularly for students from Akins who may headed north on old San Antonio road. On moving this forward on second reading with two things I wanted to mention. First is direction for staff between now and third reading. To prepare a legal mechanism that captures the commitment for sidewalk and other pedestrian improvements. Those improvements have been identified in the applicant's memo dated February 14th. And so that will be returning to us for third reading on March

25th, that legal mechanism. The second thing is I wanted to signal also that on March 25th I'll be bringing direction to staff to work on necessary safety upgrades to old San Antonio road, in

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addition or beyond that to which the applicant is responsible for. And that's because there are significant safety concerns on that road, particularly north of the proposed development. You know, there's limited sight curve, low water crossing, narrow roadway, trying to accommodate vehicles and pedestrians, particularly students and bikes. So that's just to signal that on March 25th I'll be bringing further direction for our staff and this is an area that's been recognized for quite some time that is in need of safety upgrades. >> Mayor Adler: Okay. Thank you. Any further conversation on the consent agenda? >> Mayor, this is Jeanette. Could we confirm on item 93 if the motion includes closing the public hearing? >> Mayor Adler: Yes, it includes closing the public hearing. Okay. Any other discussion on the agenda? The consent agenda? Hearing none let's take a vote? Those in favor of the

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consent agenda please raise your hand? Those opposed? It looks to be unanimous. We don't have the mayor pro tem with us. Everyone else voting aye. That gets us to item number 94. Soet's call the speakers under item 94. We will give the applicant the chance to open and five minutes. The record should reflect that councilmember tovo has left the dais. We're going to let the applicant start with five minutes and then give all the other speakers three minutes and we'll get a chance to close and then we can discuss it. Gentlemen, Jerry. >> Mayor, sorry to interrupt. I believe that you would like to hear first from the person requesting the postponement and see if the council wants to agree to that postponement? We do have one speaker on 94 who wanted to speak to a postponement request. >> Mayor Adler: I got confused. I thought that had shifted to item 96 and 97.

[2:23:03 PM]

Yes, let's hear from the person seeking the postponement. >> I am [indiscernible] And I am the owner of the property, 1200 Guadalupe street which is within with-feet of the applicant. It is the delta kappa gamma society, which is on the national hark register. We did not -- national historic register. We did not oppose this when it came before the historical commission and the planning commission because we are one establishment. I'm also on the board of the downtown Austin alliance and on the marketing committee. Historically Watson house is between our two properties and they are opposing it at the historical commission, but now what change the is E applicant had the request to buy the historic ao Watson house. And the moment it come that they have a contract, we

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entered into conversations with the applicant regarding how they are planning on incorporating the ao Watson house into that plan. We do not want the ao Watson house to be disturbed because, you know, we bought our property with the understanding that the ao Watson house would be there and the delta kappa gamma society from the national historic register will be there. But while we are for development, we started engaging into a conversation with the applicant on Sunday, and we would like to cooperatively work with the applicant, but the time has been too short. It is just some Sunday that we enter into a conversation with them. They were presenting about this is what we are going to do, but it did not include the ao Watson house. So that's why I'm asking for a postponement for two weeks so that we can proactively

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work with the applicant and cooperatively figure it out without it impacting our property which we have known for a long time now and we are long-term residents. And I am not in the development field, I am a professor at Texas state. I really don't understand some of this, so I really appreciate it if we get a two-week postponement. It is not much to ask, especially after ultimate [indiscernible] So that we can properly work with the applicant on it. >> Mayor Adler: Okay. Before we hear from the applicant -- thank you. Sorry, would you call this case, Jerry. >> The case is c-14-2020-0112, for the property located at 416 west 12th street. The zoning request is from

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co to D.M.U. The age designation did not receive a super majority at the landmark commission or the planning commission so that is off the table. So the request right now for the applicant is for D.M.U. I would like to quickly note that the application is for committee-ceo for a height limitation of 60 feet. The reason for the staff recommendation is the downtown Austin plan, which was adopted by the council, called for a height limitation of 60 feet in this area. Those limitations were never put in effect for rezoning that was intended to be done as part of the code rewrite which is on hold right now. So in order to follow the downtown plan the way the staff does that is with the co limit of 60 feet. The property is in what's called the uptown district of the downtown plan. It is right on the edge of what's called the northwest district. It is subject to the downtown density bonus program, however, the zoning would have to be done without the co in order for the applicant to take advantage of the downtown density bonus program.

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The program allows the property to go up to 400 feet from the 120 that it would normally be capped at. I believe the applicant is proposing about a 360-foot building at this site. So the staff recommendation of D.M.U. With a 60-foot cap because of the downtown plan and the applicant requests just straight D.M.U. Zoning thank you. >> Mayor Adler: Thank you. Colleagues, anything before we ask the applicant to respond to the postponement request. Yes, councilmember Ellis? This is all moving quickly because it went from postponement to maybe not postponement so I'm trying to keep track of the moving pieces. But I did want to signal my support of the planning commission recommendation so I know there's a lot of moving parts, but was trying to keep some clarity to this situation. >> Mayor Adler: So we're going to focus on the postponement. We will see if the council wants to postpone. If it does then we won't

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talk about it any further. If it's not postponed then we'll have the discussion on the merits. Councilmember pool? >> Pool: I would like to make a motion for a moment to our March 25 meeting because of the fluidity of the circumstances as the resident has requested, I would like to have a little bit more time to dig into the case and the entitlements that are being sought. It's an important case for that part of town and I think it could stand the additional time to March 25. I would like to move for a postponement. >> Mayor Adler: Okay. We'll come back for a second here in a moment. Let's go ahead and hear from the applicant and then I'll ask for a second. Is the applicant with us? >> Yes, we're -- >> Mayor Adler: Do you want to respond to the postponement. >> Yes. Michael Whellan on behalf of the applicant. We would ask you to take up this case today on all three

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readings and not to postpone us. And I want to -- I also want to be clear that this request is not coming from the neighborhood. We've worked closely with the neighborhood and the neighborhood has joined us in asking that you take this case up today and not postpone it. It's actually in the staff backup. The postponement is being requested on behalf of White Swan Investments LLC that owns a lot one property over from our site. It is a vacant lot that already has D.M.U. Zoning. They've offered two rationals for the postponement request. One is they need more time to think about our case. To that I would point out that they have been aware of this case and this project for over a year. As the applicant has sought to keep them looped in on their progress as a neighbor, including emailing them a week before we filed our rezoning application to flag it for them and to share an article that we had gotten in Austin Towers about the project. You just received an email from Clinton Sears about his

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communication in this regard. In addition, white swan investments received notice of this case months ago and of this hearing. The other rationale white swan investments LLC offers in my opinion is the real reason for their postponement request. In an email to the city, they explicitly say that they want to delay the zoning case because they're in conversations with delta kappa gamma's buyer, not with the applicant, delta kappa gamma, over a completely separate property that delta kappa gamma has absolutely no stake in or control over. In other words, white schwann's postponement request isn't about city policy, it's about leveraging the city process for bargaining power in a private negotiation. Last week white swan emailed dkg's buyer, even asking to come over on Sunday. So winter storm has not been an issue, complaining that since white schwann's vacant lot already has D.M.U. At full height, they don't want other nearby properties to also be able to build up and potentially block their views to the west.

[2:31:10 PM]

They also pressed the buyer to commit to removing certain regulated trees and to give white swan 20 feet of property for free. We don't think that it is good policy to limit housing on one site so that another site can have a better view. As I mentioned, white swan investments LLC is one lot over, the lot between our two properties is the ao Watson house that is zoned historic and thus fully protected by the city and cannot be altered at all without the city's consent. This historically zoned and preserved middle property provides a property for white swan investments LLC with strong public protections. Please do not let this unrelated issue distract from the merits of the delta kappa gamma indicates. Staff has prepared the ordinance for all three readings. We ask that you hear the case today. The neighborhood association specifically asked that you hear this case today and it is ready for council action.

[2:32:10 PM]

Thank you very much. >> Mayor Adler: Councilmember Casar. >> Casar: Mr. Whellan, I think -- actually, I don't know if this is a question for you, Mr. Are you tow veteran or for you, Mr. Whellan, but about the staff mentioned that through this process you are looking at potentially using the density bonus, which my understanding in the downtown area means that there would be dollars contributed to permanent supportive housing. So I don't know if -- >> Correct. >> Casar: I don't know if this is best answered by you or by the staff or each of you, but at more or less 300 plus feet, how much would that contribute to permanent supportive housing. >> Councilmember, this is Jerry rusthoven. The applicant has not yet submitted their density bonus application so I can't give you that exact number at this time. >> I have a preliminary number -- >> Casar: Thank you. Understanding that you don't have a site plan in but generally what is looking to be built at this describe

[2:33:11 PM]

that is described at 300 feet, what would that do if that's in fact what you all submit? >> Yes. Our very preliminary analysis is that it is greater than \$500,000. >> Mayor Adler: Okay. Councilmember kitchen. >> Kitchen: I have a follow-up question. So this is for staff. So the staff recommendation is a 60-foot limit, correct, in order to be -- to keep with downtown plan, is that correct? >> That's correct, councilmember. >> Kitchen: You explained this already, but just to clarify for me. So under that limitation, could the applicant contribute to affordable housing? >> No, councilmember. That's the point I was trying to make is that it it be -- if council does code department the co then they would be precluded from

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participating in the downtown density bonus program. >> Kitchen: And if they participated in that, how much height can they add? >> It could go up to 400 feet maximum. >> Kitchen: For only \$500,000. Thank you. >> Mayor Adler: We have a motion for a postponement by councilmember pool. Is there a second to the motion to postpone? Councilmember kitchen seconds the motion. Continuing discussion on the issue of postponement. Councilmember alter. >> Alter: I have a couple of clarifying questions and I apologize, some of these have sort of been answered by -- asked by others, but I want to make sure that I understand the answers from Jerry. So what height are they allowed today? >> Today, councilmember, it would be limited to 60 feet of height. >> Alter: Okay. And what height could they achieve under the downtown

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density bonus program, is that 400 that you said? >> Yes. >> Alter: And in terms of the obligations they would be able to pay to maximize the height they could achieve under the downtown density bonus program, if they went to that height what would be required? >> Councilmember, I don't know that because they would have to submit the proposal for the actual building but we would look at the square footage and things like that and then we would come back to them with a figure of what would be required. At this time we don't have enough information from them to figure that O it's based on building square footage, not just height. >> Alter: Okay. But -- Mr. Whellan, was the 500,000 figure what you were proposing on a 400-foot height? >> It's a very preliminary figure. We believe it will be greater than that. >> Alter: Okay. But that's like 340 feet increase?

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For less than the cost of a house? In much of Austin. >> The estimated -- I'm not sure -- we haven't -- our preliminary figures and our preliminary design hasn't been set. I don't anticipate we're going to hit 400 feet. I think a very preliminary massing looks like it's closer to 375. >> Alter: Okay. But with that extra 300 feet how many more units would you be providing? >> Again, I don't have those figures. I think overall we're at -- I think at 280 housing units in downtown, which as you know is critical to achieving so many of your goals. >> Alter: Thank you. >> Mayor Adler: Councilmember Ellis. >> Ellis: Thank you. I'm not sure if this question would be for Jerry or for Mr. Whellan. Where is this in relation to the Orange and blue lines of

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project connect? >> They would be on Guadalupe street, so probably about half a block away. >> Ellis: Okay, thank you. >> Mayor Adler: Colleagues, remember what's in front of us is the postponement request. Where I sit on this right now is I probably, based on what I've heard so far, I will -- I support the PC recommendation. That said -- which allows the 120 feet plus the use of the density bonus to go higher, but that's not the question in front of us right now. The question is whether or not to postpone. And in these kinds of cases when a postponement request is asked, usually we grant it absent there being prejudice otherwise. I haven't heard a prejudice otherwise because everyone knows this case will be coming back up on March 25th so I just haven't heard it otherwise, and in this case we also have one of our colleagues asking for the postponement. So on the question of postponement where I sit right now is I would support

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the request for the postponement. Further conversation on the motion to postpone? Okay. Then let's take a vote on the motion to postpone? Those in favor of the postponement please P please raise your hand. It is me, pool, kitchen, Kelly and Vanessa. That's one -- and alter. So that's six. Those opposed to the postponement? And it is -- >> Renteria: I abstain, mayor. >> Mayor Adler: Ellis and Casar with an abstention by Renteria, and the mayor pro tem is also off the dais. So with a 6-3-2 vote the motion to postpone is

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approved. I think -- >> Pool: I think it was 6-3-1 with tovo recused. One abstention. >> Mayor Adler: But councilmember harper-madison is also off the dais. >> Pool: 6-2-1. >> Mayor Adler: 6-2-1-2. [Laughter] >> Mayor Adler: 6-2-1-2. >> Sounds like lottery numbers. >> Pool: Thanks. >> Mayor Adler: Councilmember alter. >> Alter: Since we're not going to be continuing the conversation, I just wanted to note that, you know, this is near the Orange line and -- I do support greater density in this area. I would

like, though, a lot more clarity than we have at this point in time with respect to the density bonus piece of this and also in

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terms of number of units that we're talking about and things like that. So I just wanted to clarify since we're not continuing the conversation. >> Mayor Adler: Thank you. Councilmember Kitchen. >> Kitchen: Thank you, councilmember Alter. I also have the same questions. I would love to understand the cost of these -- I would also like to understand the cost of these units. I do support density to our rail lines, but I'm also very concerned about affordability. And just on first flush, 500,000 doesn't sound like much at all to me in terms of a density bonus. So I need some more information. >> Mayor Adler: Councilmember Pool. >> Pool: Thanks, mayor. I would like to ask Mr. Whellan if he could talk with me and my staff some more and also Mr. Rusthoven about raising the base from 60 feet to 120 feet. I want to understand the impacts of that. And of course I too am very supportive in ensuring that we have good density along our rail lines because that's how we're going to make sure that our rail lines are successful, but I

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also just need some more information about the project itself. So I do appreciate the postponement and look forward to talking with Mr. Rusthoven and Mr. Whellan some more. Thanks. >> Mayor Adler: Sounds good. Colleague, I think that takes us past all of the zoning cases. Thanks to all the speakers for showing up today. Apologize. Please come back on the 25th when this item will be considered again. Colleagues, that gets us then back to the balance of our agenda. Let's begin with item number 40, pulled by councilmember Kelly. >> Kelly: Thank you very much. So I do have some questions about it and I believe this question is probably best for legal. So Ann, I just wonder if -- I know this has been brought up before previous times that this sort of thing has

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been up for council, but could you explain how this is legal for us to be able to provide for people who maybe don't understand that? And then I have a follow-up to that question as well. >> Councilmember Kelly, I think you're referring to the James due process. And as you know, the funding for the city has been challenged in the past. We do think this is a legal way to use this money to help folks with the services, the legal challenge so far. We've had three separate cases and the city has prevailed in those cases, two of which are pending on appeal. And so I think that this is an appropriate use of the funds. >> Kelly: Okay. That's all I had. Thank you. >> Thank you. >> Mayor Adler: Is there a motion to approve this item 40? Councilmember Ellis makes

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the motion. Is there a second to this item? >> Pool: I'd be happy to second. >> Mayor Adler: I'm going to let councilmember Renteria do it this time. And two seconds. Let's know councilmember pool is a second and councilmember Renteria both seconding this motion. It's been moved and seconded. Is there a discussion? Those in favor of this motion please raise your hand. Those opposed to this motion? Councilmember Kelly opposes and the mayor pro tem is off the dais. The other voting aye. This item is approved. That gets us to item 62. Pulled by councilmember alter. >> . >> Alter: I'm going to need staff from public works, depending how they

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want to answer my questions. >> Mayor Adler: Okay. >> [Inaudible] >> Alter: Thank you. >> Mayor Adler: Colleagues, the next item, 68, which concerns barring transaction for the Austin convention enterprises, there's been a request for us to move over to executive session before we take a vote on that matter. So we may do that in a moment, run over to executive session, handle that, then come back so that we can finish with our agenda out here. We have two public hearings, we'll probably dispense with those, go into executive session and come back out and vote and then go back in on personnel and then our day will be over. I think that let's our staff go most expeditiously. >> Alter: It looks like

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Mr. Spillar is on. Colleagues, item 62 -- >> Mayor Adler: Councilmember Kelly, did you raise your hand? >> Kelly: Why we're going into executive session over -- none of the things I feel need to be done in executive session. >> Mayor Adler: We're% going to go into executive session because one of our colleagues has asked for it and we don't ask out in public why it is you wanted to go into executive session because that could remove the privilege, so we'll go into executive session, but we won't decide thinking and everything that's amenable of a public conversation, we will be on the dais and hold those. Any questions you want to ask publicly you will still be able to do that. >> Thank you for that clarity. >> Mayor Adler: Councilmember alter. >> Alter: Item 62 I

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pulled, I had questions about the backup. And I worked closely with some of our financial staff to understand what was going on in the backup and they made some changes to the fiscal notes to make

things clearer, but I do think it's important that we have transparency over this bond that is \$440 million and they are asking for 35 positions, that we make sure we're really clear on what we're voting on. I want to acknowledge that there was originally scheduled to have a presentation on the mobility bond on Tuesday that was skipped due to scheduling, so presumably maybe some of this information may have come out at that point in time, but absent that presentation, I think we still need to have some conversations. You know, I do really appreciate the financial staff spending the time with me on this. I would like to ask us to

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make sure that we take another look at our processes for our fiscal notes and making sure they are crystal clear so we can easily see what is going on and what -- so for instance, in these fiscal notes in my view it was hidden in the original version that to authorize the 27 positions in atd, we would be requiring an increase to the transportation user fee, and the next fiscal year of at least eight cents. I think that is something that needs to be out there in the documents and we need to understand that and I have questions how that plays out. Obviously this is a major undertaking, the voters overwhelmingly voted for this so there's a lot of enthusiasm, but we nonetheless have a responsibility to make sure that there's accountability and that we are performing

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our oversight duties. So on our agenda we have three items related to this, had we had the presentation which usually was still posted, we would have talked about what each of those three were. I would ask that we post the presentation that was posted for work session along with these items so if somebody is going back to try to figure out what we are doing, they have the benefit of that information and would have liked those to have been posted for us as well. So my first question is kind of a broad one, you know, to ask Mr. Spillar and if there is somebody else from pucks who should be speaking, join in. Can you explain why the staff needs eight positions in public works and 27 in atd, and can you elaborate on the division of labor with respect to the bond implementation? I can't hear you yet.

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>> Mayor Adler: You are muted, Mr. Spillar. Now you are unmuted. Talk and see if we can hear you. No, still can't hear you. >> Alter: If I recall, Mr. Spillar has had trouble another time and may have to plug himself in with his headphones as he did before. >> Mayor Adler: Looks like that's happening right now. Still can't hear you. The other way to do it is call into the number. >> Councilmember alter, mayor Adler, Anna martin, assistant director with the Austin transportation department. Perhaps I can get started while rob works out his technical difficulties. Thank you for the questions and for allowing us to be

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here today. Per the backup, we are here today with a request for additional ftes for both the public works department and the Austin transportation department. Which will facilitate our delivery of the additional 470 million in transportation funding from the mobility bond. As councilmember alter pointed out, there may be a likelihood of an increase in the [inaudible] For fiscal year '22, however for the remainder of this fiscal year there will be no impact to the transportation user fee and we can absorb the additional positions within our operating budget. Moving forward, most of these positions or the majority of the time of these positions will be recoverable by bond funds. So the long-term impact on our operating budget will be much less than it would be if we were just hiring 35 new positions of our operating budget. A lot of this will be

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charged back to the 2020 bond. As for the division of responsibilities between public works and atd, public works oversees the sidewalk program, urban trails, neighbor partnering and some of the large cip portions of the bond. And atd oversees bike ways, vision zero safety, the substandard street program, transit enhancement and another portion of the large cip. Atd also has the responsibility of doing a lot of implementation. So you'll see additional resources on the atd side and those are for signals crews, signs and markings crews that are actually out there implementing the projects that cover all of our bond portfolio. Another portion of the resources for atd is for inspection and right-of-way permitting program. We're planning to stand up a

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public project review team within atd to ex speak speak diet all capital projects. That will help not just the bond, but Austin water, Austin energy, other departments delivering projects for the city. Director spillar, have you been able to get on? Do you have anything to add to what I started with? >> Can you hear me now? >> Mayor Adler: I can't see. >> Great. Sorry, councilmember, for having the difficulty getting on. Just like with the earlier bonds we defined a bond delivery process, because this bond is really focused on funding a range of different programs within our departments, the approach that we decided was best and we've planned to overcome sort of this hump in work is to really add the staff and the individual programs and expand the programs. And so that's really the thinking and that's why we

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have the staffing as we've suggested or requested. >> Alter: Can you actually talk to the specific division for the 27 positions? That would have been part of the presentation Tuesday which we didn't have. >> Let me pull that up. So I will run down the different divisions and the staffing that we have asked for. Some of these will be public works and I don't know if Chris is here but he can speak to those. Sidewalks and special projects, those are two staff and really just supplementing our sidewalk program so we can continue to meet the high volume of sidewalks demand that's out there. The safe routes to school adding just one burn, -- public works we're not

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adding anyone. We're adding one staff person, these are the transit enhancements that do not relate to project connect. Currently we have just one staff person responsible for implementing that entire bond which is multiple millions of dollars. And so we want to make sure that they have enough staffing to move forward. Vision zero, adding two staff persons to really again now that we have bond money to help deliver that program. Street design, three technical people to really expand our oversight of street design and roll out the projects that would be built not only under this bond but accelerate the existing bond. Jumping down to project delivery, as we look to deliver a whole number of projects, that's one thing that's unique about this bond is we really get into the guts of the planning, is it's not single large projects, it's lots of little projects. So Dodd that we actually need more project delivery

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folks and project management folks, likewise in public works to help with the large cip. When we get to the larger asks, for instance, signals, we are actually at full max delivery in terms of new signals and maintaining existing signals with our current staff. We really need to add whole signal teams and that seventh person is really another one or two teams to deliver new signals and to maintain the signals we've been building with our current bond program. And so this new staffing will be focused on the new signals and then our existing staffing will take up up the maintenance of our robust system. Signs and markings, same thing. A lot of the construction we will be doing is laying out new lane miles and markings and so to do that we need internal staff to expand the capability. Those teams have been at 110% and we just need to add some more teams there.

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Lastly, right-of-way. One of the things we realized with all of our capital works projects, it's time to set up an internal team that just do right-of-way permitting for city projects. So this team of new permitters will actually support all municipal permitting as well as permitting for cap metro to make sure we know where construction is going when project connect rolls out. But it really takes a whole new team to pull

that and keep that from competing with the private sector who I know all of our resources in the community are telling us that they are going to be extremely busy over the coming years as private development responds to all the new capital development we're doing within the city and cap metro and txdot. So that really adds up to the 35. I know the 35 could be -- is a shocking number, but it's

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spread out over a whole number of divisions there. >> Alter: Thank you. So as I understand it, the idea is to staff up so that we can finish our responsibilities with respect to the 2016 and the 2018 bonds at the same time that we're ramping up for 2020. Are you expecting to need to add additional staff for the 2020 bond above and beyond these 35 positions? >> Mayor Adler: Before you answer that question, I'm going to need to step off the dais for up to an hour. I've asked councilmember alter to take the chair since mayor pro tem is not with us on the dais as well. So with that, councilmember alter, go ahead and proceed. >> Alter: Thank you, mayor. >> Councilmember, we are developing our 2022, 23 and

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24 budget projections. Yes, I anticipate the work demands will continue to require staffing. I don't know what that is right now. But this staffing we believe will help us accelerate the 2016 and 2018 bond delivery so that we can start to get that work digested within the industry and move into the 2020 bond program. Next summer. But yes, as we have added infrastructure to our portfolio here in the city and as we continue to coordinate with other agencies as well as, you know, deliver the projects that you all have asked us to do, we believe we will continue to need more staffing as we go forward. Yes, ma'am. >> Alter: As I understand it, these positions are for atd anyway, they are 80% bond funded and 20% other sources. >> That is -- yes, that is the plan. That is how we have them funded in the current budget

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proposal and looking forward, that's how we continue to think we would have them recoverable, yes. >> Alter: Okay, and given that if you were adding more positions, they would be added roughly in that ratio as well? >> If they are related to bond and capital type projects, yes, but as we're developing these promise, we will certainly need staff that would be funded by our other funds, for instance, whether it be the tough or fees we collect as we go forward, yes. >> Alter: For atd, that 20% is paid by other sources. Explain how this is being funded, these 27 in atd are being funded this year and how they are going to be fund understand subsequent years. >> So the 27 we are funding this year, the 20% as you talk about are the

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indirects, so the easiest way to explain that is vacation and sick leave. We can't bill obviously to the bond. That is being billed to our current budget which we have budget reserves and so that is coming from the tough and those fees we have built this this year's budget already. It's funds we already have available, yes, ma'am. >> Alter: Right, but moving forward where that is funding coming from? >> We would build that into those same fund sources whether it be the tuf or the fees we collect that. Would be part of our annual budget proposal to council. >> Alter: So that would be including the right-of-way fees in the tuf. What is the current financial implications for the tuf of these 27 positions? I think you quoted a number that is I believe correct, eight cents. >> Alter: Eight cents per month? >> Yes. Yes.

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>> Alter: Okay. Are you anticipating increases to the tuf from other things beyond the bond? When you are saying you are anticipating an eight cent increase in the tuf, will there be other things you will come and ask increase in fees on? >> Councilmember, we're developing those budgets right now so it's hard to speculate. But yes yes, we have cost drivers that drive our budget every year and we will likely be asking for increased fees as part of the regular budget cycle. >> Alter: But we are not making that decision so if we decided not to increase your tuf in the future, you felt like you need odd the make choices in your budget within your means you would need to do that to figure out how to fund these positions. >> That would be the other

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option, yes. Yes. >> Alter: Okay. What happens -- what happens to these positions at the end of the bond cycle? >> Well, we anticipate the bond cycle to be at least six years and so between now and then I would anticipate that we would either have more capital projects or we would have worked them into our normal program. That is typically what has happened in the past. We've had a decade of successful capital project bonds and so haven't faced that, but obviously if we don't have work and we don't have funding for positions long term, obviously, you know, we're an enterprise department and we have to contract just like a private business at that point. >> Alter: Thank you. So I may have a question for public works and then I will

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open it up to callers who want to ask questions. >> I'm going to try to go on my speaker phone and get off high headset. >> Alter: Did you want to speak for public works? >> This is director Mendoza. I'm

dialing in. I had some visual challenges with my PC, but I'm in the meeting on my cell phone. >> Alter: Thank you. I couldn't see you. If you could describe the eight positions and how they are being funded, there's a big difference between how this works for atd and their mobility fund and for public works because of the way that you fund your positions and your indirect costs. So help us understand what's going on with your positions and any additional money that might need to come through fees for these positions over time. >> Yes, ma'am. So our midyear budget amendment ask is for eight positions to support the

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launch of the 2020 active transportation bond projects. They consist of two project managers, which will reside in our capital delivery group. That group is funded through an internal service fund called the capital projects management fund. So no impact to the tuf. The remaining positions we have two I believe Anna described, two project coordinators for our sidewalks team. As you are aware, we're substantially through the execution of the 2016 and 2018 sidewalk programs. These two positions will help us plan for the additional 80 million for our new sidewalks. Three project coordinators for urban trails program. Urban trails program significantly received more funding as well, 80 million, to prepare those projects for implementation. And then one program manager for safe routes to school. You know, with our reports

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on the high benefit, high cost benefit projects, we have a multitude of projects around the city that this program manager will help us successfully plan for and get started. So these six positions, they reside in our program lead offices in public works. They are going to be billable positions as 80%. The other 20%, of course, are the benefits and vacation and leave. When we put the pen to that, the impact to the tuf is minimal. It's less than one cent. So we'll just absorb that in our ongoing end of year fund balances. We anticipate at the conclusion of this program, councilmember, that we have ongoing work every year, we do a workload projection with our multiple sponsors for capital delivery throughout the city. We typically have turnover

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in these positions for which, you know, I feel pretty confidentially we could absorb to our capital promise throughout the various enterprises of the city. So these are project managers and project coordinators. Unlike transportation, I'm not asking for any in-house construction crews or improvement crews. I already have a mature sidewalks and special projects team that is staffed up and that has been supporting with in-house construction capability the various local mobility programs. So that's why my

personnel ask is somewhat smaller than atd's. And also in terms of the operating budget amendment, that number is higher just because of the way that we program our costs. We prefer to show all the operating costs up front so we can track that against

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the reported revenue since they are billing on the revenue side. That makes -- that lets us as managers ensure that we're being efficient and that we're achieving those billable hours for this staff. So for in public works, we do not anticipate any impact to the tuf resulting in increase from this midyear budget amendment. >> Alter: Do you anticipate further increases in employees needed for public works through this? At this time? >> Not through this. We are pretty versatile in our project management. We have a very mature capital delivery division of project managers, design engineers, construction inspectors. Every year we go through an exercise where we meet with our sponsors for workload projections and these still sets are very transferable across capital programs and support. We have grown that team in the last three years, but we

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have seen a quite sizable increase in the city's capital program. It's on the order of an annual \$1.8 billion on the horizontal side, a little over a billion on the vertical side. So we just grow that team appropriately to fully support the timely delivery and quality of capital projects, and we would just continue to do the same with this program. >> Alter: Thank you. I would like to open it up and see if any of my colleagues have any questions or concerns that they want to raise. Councilmember Ellis. >> Ellis: I had comments, but if others had more questions, I wanted to leave space for that. >> Alter: If there are no questions, just before I'll make one comment. You know, I think this is a really important project for our community. You know, as we've been

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working really hard to do on the 2016 and 2018 bonds, I'd like us to keep that same level of transparency. And again, I know for various reasons for everything we've been dealing with the storm, et cetera, we didn't have the presentation and I understand that choice, but I think it really important that we continue that high level of accountability and oversight moving forward. I would just ask that, you know, we make sure that our fiscal notes are actually readable for folks to really understand what is going on, and if there is something like an increase to the tuf that is implied by this decision that it's very transparent as a council so that we can see that. That being said, that doesn't mean we're agreeing to the increase in the tuf, you know, down the line and would still like to see you see, you know, how you can

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manage things. Does anyone else want to make a comment before councilmember Ellis does? Councilmember Ellis, I would also invite you if you want to make a motion and get a second and then you can make your remarks if you would like. >> Ellis: I'll make that motion. >> Alter: Councilmember Ellis moves passage. Do we have a second? Councilmember kitchen seconds that motion. Councilmember Ellis. >> Ellis: Thank you. I very much appreciate the preparation of the transportation department and public works departments. This is an historic \$460 million bond, overwhelmingly approved by voters last November. In order to meet the six tier deadlines and goals of planning documents asking the asmp, vision zero, sidewalk, urban trails plan and the community climate plan, our approval today is an important step in

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achieving our goals as a city for commute options that are safer, more cost effective and make our city more resilient to climate change. >> Alter: Thank you. Does anyone else want to make any comments? Seeing none, all those in favor? Raise your hands? That is unanimous on the dais. Councilmember Kelly, are you voting? So please note mayor Adler, councilmember Kelly and mayor pro tem -- sorry, councilmember Kelly is back on. Are you voting in favor? >> Kelly: Yes. >> Alter: So everyone who is on the dais is voting in favor with mayor Adler and mayor pro tem harper-madison off the dais. Thank you. I'm going to grab my script. >> Thank you, council. >> Alter: I'm going to grab my script that they

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printed me out. One second. >> Councilmember, are we able to pick up the non-consent public hearings before we go into executive session? >> Alter: We certainly can. I just got this in. So before we go into executive session for 68 and for 83 through 86, we may come out before we do 83 through 86. We have items, I believe it's 79 and 80 for public hearing. Is that correct? Does staff want to introduce item 79? >> Yes, I believe we have staff on the line.

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>> Good afternoon, mayor and council. I'm assistant director at the economic development department. We are conducting a public hearing to consider an amendment to ordinance number 2019114-068 to recognize other local incentives and economic development tools available to qualifying enterprise zone

projects. >> Alter: Mr. Spillar, now we can hear you so you might want to mute. Sorry. >> Should I repeat that again? Or is that -- >> Alter: Feel free to repeat whatever thought you feel most comfortable with. >> Thank you. Assistant director with economic development department. This item is conduct a public hearing and consider

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an amendment to ordinance number 20191114-068 to recognize other local incentives and economic development tools available to qualifying enterprise zone projects. This is an amendment for a piece of incentives we failed to do in 2019. And you do have in the back up a draft ordinance that adds road repairs to the list of items. >> Alter: Thank you. Does anyone have any questions? Is there a motion to rye proof? -- Approve? Councilmember Casar moves approval, councilmember Kelly seconds it. All those in favor? All those opposed? I believe we have everyone on the dais approving with mayor Adler and mayor

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pro tem harper-madison off. Councilmember Ellis, we cannot see you. Are you voting in favor? Councilmember Ellis, did you vote in favor? >> Ellis: Yes. Sorry. Technical glitch. >> Alter: So that passes nine with two off the dais. Thank you very much. Is staff here to present item 80 as well? >> Thank you. >> Yes, it will take one minute to move them over. >> City manager, who needs to be moved over? >> Director Meszaros.

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Or Joseph Gonzalez. >> Thank you. >> Alter: Item 80 is the Austin water rate updates. >> Hi, this is Greg. Is Joseph on? >> Good afternoon. I just got unmuted and my video up. Good afternoon, I'm Joseph Gonzalez, assistant director Austin water. And this item is to conduct a public hearing and consider an ordinance adopting temporary reductions to retail water rates, authorizing director of ten water to temporarily use historical average customer water use for determining retail customer bills following the recent February 2021 winter storm event. Exclude water use caused by the effects of the February 2021 winter storm from retail wastewater averaging calculations, and

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to administratively adjust water bills for each customers who received unusually high water bills due to the winter storm and waiving emergency water service repair, cut off and cut on fees and declaring an emergency. >> Alter: Does anyone have any questions? Councilmember kitchen. >> Kitchen: I don't have a question, but I will have a comment before we vote on this. >> Alter: Does anyone else have any questions? Mr. Gonzalez, perhaps you can go over the piece we discussed yesterday at Austin water oversight with respect to what's happening for February and for March so that people understand how it is working with using the past usage for February, but then in March they are reading the meter and how

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that is helping customers. >> Certainly. So the temporary residential rate relief we are proposing would reduce volumetric rates for tiers 3-5 to one cent per thousand gallon and referred the tiers 3-5 to the tier 2 rate of \$3.55. It would take us approximately two weeks to get that change implemented in our billing system and so we're looking to align the effective dates for those rates with the -- with the use of actual meter reads beginning for bill cycles that would read during that time period. In the interim, we would use estimated reads to ensure that our customers receive bills that are consistent with their normal expected consumption, you know, between now and then. The last meter reads that we were able to receive were, I believe on February 13th,

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prior to February 12th, prior to the winter storm event. And so if those meter reads were the last meter reads we were able to obtain and bill using actual reads. As a result, we're proposing the use of estimated reads to again push high levels of consumption resulting from the winter storms into the next billing period beginning March 19 and that consumption would be billed at any excess or high consumption above 6,000 gallons which is is average level of consumption, getting above that would be billed at one sent per thousand gallons. For example, if customers sustained a -- even 100,000-gallon leak, the 94,000 gallons above 6,000 gallons would end up being billed at one sent per

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thousand gallons or a total of 94 cents. So this would mitigate the potential high impact that our customers might see because of our inclining conservation based rate structure. You know, for example, an average bill or a bill for a customer who might have sustained a 50,000-gallon leak -- let me pull that up real quick -- would have been around \$500, \$510 for -- I'm sorry, for 40,000 gallons of consumption that might have been impacted by a leak, and under the proposed rates the bill for that level of consumption at the one cent per thousand gallons would end up being \$44.16 for customers not

enrolled in our customer assistance program and if it were a capped customer, that bill for the same level of

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consumption, 40,000 gallons resulting from a leak, would be billed about \$19.40. >> Alter: Thank you. So it's the combination of using the historical average for this billing period with reading the meters for the ex in period and adjusting the charges so you can't be charged for more than 6,000 gallons effectively at the normal rates that's going to provide the relief. >> Correct. So the end goal is to ensure, a, that our customers don't receive any high bills associated with unusually high levels of consumption and that we're able to cap that, again at our average annual level of consumption. And in the interim, provide estimated bills that would again be consistent with the normal expected level of consumption for our individual customers until we're able to implement those rates into our billing system. >> Alter: Thank you. I appreciate that clarification. Councilmember kitchen. Did you still want to --

[3:23:06 PM]

>> Kitchen: Well, no, I just wanted to comment and Mr. Gonzalez got to that, thank you very much. I appreciate the presentation yesterday and the opportunity for the council and the water oversight committee to have a thorough discussion of the financial relief that the -- that Austin water is bringing forward, and this is a key piece of it because people have been worried about their bills. And so thank you for this clarification. With this two-step process, it's designed to ensure that people are not harmed by the impact of a water leakage or the impact of the storm with regard to their water rates. And their water bills. So thank you very much for that. >> You're welcome. >> Alter: Thank you. City manager or director Meszaros, was there anything you wanted to add before we vote on this? >> I just want to appreciate the quick work of staff

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because they anticipated this may be impacting people's bills and definitely wanted to get in front of this before that could happen. And so the quick work to bring it to your attention today for your consideration was welcome. So thank you director and assistant director. >> Thank you. >> Alter: Thank you. I'll entertain a motion to approve 80. Councilmember kitchen moves approval. Councilmember Renteria seconds that. All those in favor? It's everyone on the dais approves, nine in favor and two off the dais. Thank you. And I think that the last item on our agenda for outside of executive session is item 68. I believe we want to go in for item 68, do our executive session and then come out and vote on it and then we'll go back to executive session for 83, 84, 85 and 86, that is

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correct, so that staff can go home who are related to 68? Is that the preference? >> If I could request a five-minute recess before we go to executive session. >> Alter: Certainly. Ms. Morgan, do I have that right? I have to read the direction for going into executive session. >> Yes, that's correct. My understanding it would be helpful to have 68 in executive session and come back out, and I did send you a script that just has 68, if that's helpful. >> Alter: I have one that has both, but I think I can figure that part out. So the city council will now go into closed session to take up one item, pursuant to section 551.071 of the government code, the city council will discuss legal matters related to item 68, a resolution consent to go a proposed transaction by

[3:26:09 PM]

Austin convention enterprises under the terms of the federal paycheck protection program. Is there any objection to going into executive session on the item announced? Hearing none, the council will now go into executive session. We will reconvene about 332ish or something like that so that we can have five minutes' break in between. Thank you so much. See you in there.

[3:31:14 PM]

[Executive session]

[4:24:03 PM]

>> Mayor Adler: We're out of closed session. While in closed session we discussed legal matters related to items 68. We are now back. I think there's one item left on the agenda and that is item number 68. Is there a motion to approve item number 68? Councilmember Renteria makes the motion. Councilmember Ellis seconds. Is there any discussion? Councilmember -- >> Mayor? >> Kelly: Did you say me, mayor? >> Mayor Adler: I did. >> Kelly: I've received a lot of inquiries of this from residents of district 6 as well as from the city of Austin and elected officials from both sides of the aisle. It's that this pertains to a former councilmember board. The work performed by this new president was historically performed by a third-party consultant in the past and this new position is a 20 hour work

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week paid at \$120,000 a year. Colleagues who have raised these questions, I have them as you do, but rest assured we're looking into this issue and if we cannot get any answers outside of this agenda item that will not be raised today. Before I begin my questions on the agenda item, I would like for city landfill that this item will not allow the ppp loan to cover the 140,000-dollar salary for the president of Austin convention enterprises? City legal can you confirm that for us, please? >> Ann, would you like me to do that? >> Sure, thank you, Lee. >> Good afternoon, everyone. Lee Crawford, city law department. Councilmember, yes, I can confirm that the administrative salary costs for the ace organization itself were not part of the ppp loan calculation and will not be -- will not be in the ppp proceeds will not be used to offset any of

[4:26:05 PM]

that salary payment. >> Kelly: Thank you very much, Lee. I'm not sure if you or Ann could answer this, but in the resolution that was put before us today it states that other eligible expenses are covered. Could you give us some examples of what those other eligible expenses might be? >> Yes, councilmember. I think we included some information that we had gotten from ace in the q&a response for this item that listed a couple of those types of eligible expenses, and I am searching for that right now. If you will bear with me for just a moment. And that would include expenses such as utility costs at the hotel or insurance costs at the hotel. Those would be examples of the other types of eligible expenses in addition to payroll expenses that could

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be a use of the ppp loan proceeds. >> Kelly: Thank you. In the resolution it states that the expenses covered would not be administrative staff costs which I mentioned earlier. Could you educate us on what the operating expenses of the frontline staff are that would be covered by this ppp loan? >> Yeah. That would be the hourly wages paid to hotel workers, the employees of the hotel, and could also be used to cover I believe employee benefit expenses of those hotel workers as

[4:28:22 PM]

[technical difficulties]. >> The ppp loan proceeds, if approved, then would flow into an operating expense account that is administered by -- under the authority of the trustee of the ace bond and a venture out of the Minneapolis. And it would ensure that all of the funds generated from the hotel operations, which include these ppp loan funds, are used for

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appropriate purposes in accordance with the bond indenture. >> Kelly: But at Austin convention enterprises that would be the president's role to oversee the administration of that, correct? >> Actually, the president would have very, very little to do with that because under the terms of the bond indenture, councilmember, the responsibility for administering all of the revenues that come into ace by virtue of operating hotel, the overall oversight of those is the charge of the trustee. >> Kelly: Thank you for clarifying that. I really appreciate it. My last question goes back to a little bit of what you said earlier about the effects of covid on the reduction in workforce at ace. And I was wondering if you know how many people were laid off and over what time period and how many hours were reduced? >> The -- sort of the sequence and the timing of staff reductions at the hotel I'm not familiar with that?

[4:30:26 PM]

The information that we received from ace is prior to the pandemic there were a little over 100 employees at the hotel and as a result of the pandemic they've had to winnow down their headcount there to a little under 200 employees, so lost about 60% of the workforce. >> Kelly: Thank you very much. That's all that I have right now. >> Mayor Adler: There are a lot of places hit hard by covid had in our city and probably one of the ones hit hardest and that we've been unable to get relief to is the hospitality industry. We have so many hourly workers in that industry and I really do appreciate all of the employers in the city that struggle to get employees paid and on the payroll and receiving benefits as is possible.

[4:31:26 PM]

And I know some of them sought the ppp protections that the federal government made available, and I'm going to support the city doing its part to help facilitate these hourly employees getting paid and getting their benefits as much as we possibly can. Councilmember tovo. >> Tovo: I have a few follow-up questions to councilmember Kelly's. I'm not sure whether this is for Mr. Crawford or for the sponsor, but I want to be sure in the q&a -- in the q&a I had asked about the use for eligible expenses and I understand Mr. Crawford what you're saying, and the answer came back up to 40% can be used for other eligible expenses beyond payroll like utility costs or insurance. But the first line indicates that ace intends to use 100%

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for frontline workers. So the I just want to clarify that though 30% of the loan could be used for utility costs and insurance and I assume that 100% of these are going to be for payroll for those frontline workers. >> We don't have that other than the information we got from ace in the q&a report. So I don't know that I have any kind of additional amplification of that information. We'd be happy to reach out to ace and see if we can find out any more detailed information about the intended use of the proceeds. >> Tovo: Okay. I think that we might have a conversation here today about what kind of follow-up we would like ace to do with regard to the council and

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additional communications. So that certainly falls into that line. Let me just say that my assumption in our consideration today is that this is a firm commitment from ace that they are intending to use the ppp loan for frontline workers and not -- and not expenses like utility costs and some expenses that might be eligible under the federal guidelines, but are not -- seem to be not the intent as it's been expressed in the responses to these questions. The sponsor who brought this forward, councilmember Casar, could you please indicate, are you primarily responding -- are you primarily talking about those non-managerial employees of the hotel. >> That's right, my understanding is that's the

[4:34:29 PM]

vast majority of the staff and that the ppp loan is to make sure that no more or as few as possible frontline staff, housekeepers, cooks, lobby staff that, they don't also get furloughed or laid off. >> Tovo: Thank you. Mr. Crawford, could you talk about liability and how it would fit into this equation if -- I fully expect as the response indicated to my question that ace and the Hilton intend to meet the threshold -- the requirements for loan forgiveness and so there would not be a repayment required under the federal guidelines. Were the unexpected to happen and there is a default on that loan or that it's not forgivable and there needs to be a payment,

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can you confirm that the city would not be liable for that debt? >> I can confirm, councilmember, that the city would not be liable for any default on the ppp loan. I saw that largely for three reasons. And to take a step back, I'd just remind everybody that the Austin convention enterprises inc. Is a entity from the city. It's a non-profit corporation established under Texas law based on the authority of a special part of the local government code that provides for these public facility corporations. And that state law that creates the public facility corporations like ace provides that they are separate from the sponsoring entity, which is the city in this case, for legal purposes. And also, that they have their own separate

independent authority to enter into contracts with third-parties, and also they have separate and independent responsibilities to sue and be sued under

[4:36:30 PM]

those contracts if they don't perform. So from a state law perspective, ace and the ace operations are legally distinct from the city and the city would not have any obligation therefore for the debts of a third-party entity like ace. Second thing that I would remind the council of is that in the governing foundational documents for ace, particularly the articles of incorporation, those articles of incorporation provide specifically that the city is not responsible for any of the debts of ace. Part of the articles of incorporation that I refer to is a sentence that says the corporation, which is ace, shall have no power to and shall not create any charge or indebtedness against the full faith credit or taxing authority of the city. So in the foundational document that the city used to establish ace, we made clear that ace does not have the legal ability to commit the city or to bind the city to any agreement.

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And then the third thing that I'd refer the council to there is at least our understanding of the ppp transaction the way it is contemplated by ace, which is that ace would be listed as the applicant on the application for the ppp loan. They would be the borrower. They would execute the promissory note to repay the loan indebtedness subject to the forgiveness provisions of ppp program. Ace has not requested that the city be a party to that loan transaction nor have they requested that the city indemnify them or guarantee that ace would pay it. So there's no contractual liability for the city in this situation either. So for those three reasons we feel like it's very clear that the city would not have any legal responsibility in the event that the ppp loan, if granted, was not repaid by ace.

[4:38:31 PM]

>> Tovo: Thank you, Mr. Crawford. >> Casar: You were muted mayor, but I think you called on councilmember kitchen. >> Mayor Adler: Councilmember kitchen. [Laughter]. >> Kitchen: Yeah, I just want to go back to, thank you, to the intent to use the dollars for -- to support the frontline workers which I think is something that I wholeheartedly support. I think that would be good. I'm wondering, councilmember Casar, I don't see that in your resolution. With that being the intent, would you consider it to be friendly to add some phrase to the effect "Provided that the ppp loans used to support frontline workers? ">> Casar: That's fine with me because I think that's exactly what the ppp loans have to do, but looks like

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the law might have a comment on that. >> And conceptually, councilmember, I think that's certainly in line with the understanding that we have from ace about their intent for the use of the loan proceeds. I would also remind the council that how funds that come into ace regardless of their source, are used and administered, are subject to the terms of the bond indenture that establishes the financing structure for ace. So if you wanted to go the direction that you're suggesting, councilmember kitchen, I would also include the phrase "To the extent consistent with the ace bond indenture." >> Kitchen: Yeah, I'm fine with that. This resolution is the council giving our consent, and so, you know, so we have a responsibility with regard to our consent. And so that's why I want to make it clear in what we're

[4:40:33 PM]

voting on, that our consent is based upon the use of these dollars for frontline workers, which I understand to be the intent. The phrase that you're talking about -- so it would be provided that the ppe loan proceeds are used to support frontline workers, and what was the last wording you used? >> To the extent consistent with the bond indenture. >> Kitchen: What about to the extent required by the bond indenture? -- Indenture? >> Casar: May I make a suggestion on wording? I just typed it out here. It would just be right at the very end of the resolution, just adding the words "To support frontline workers in accordance with the bond indenture." >> Kitchen: Yeah, that works. In accordance is to my mind as required by, that makes sense. >> Casar: Is that okay, Lee? >> That works for us. >> Mayor Adler: Is in

[4:41:36 PM]

accordance the same thing as subject to? >> In my mind it would be, mayor, it would be synonymous. >> Mayor Adler: Okay. Do you want to include that it could also be used for utility costs or insurance? >> Kitchen: No. That's exactly my point is that I want it used for -- directly for the frontline workers unless the bond indenture is requiring something different. >> Tovo: If I might suggest there's some language in one of the whereases that you might incorporate the proceeds of the loan would benefit frontline workers at the downtown Austin Hilton by covering payroll expenses for such workers, and that whereas went on to say and would be used for other eligible expenses, it sounds as if through our conversation we are moving toward a place where we don't want to see that and it also says it would not be used for ace administrative staff costs. So I think that whereas transformed into the be it

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further resolved with the clause that Lee mentioned is sort of -- captures the intent. >> Mayor Adler: Can I ask a question? And I'm good with putting in there can't be used for administrative costs. But if they can get a higher -- all hotels are really hurting right now, including this one. And if they can get a greater loan that's potentially forgivable that would help offset some of the utility and insurance costs after hopefully they have exhausted the possibility of trying to give the greatest amount of protection to frontline employees, why would we want to limit our hotel from getting additional -- our hotel operation from getting additional dollars to help offset other costs of what might be a forgivable loan? >> Kitchen: But may I speak to that, mayor? >> Mayor Adler: Yeah, yeah. >> Kitchen: No, I mean, my intent is to ensure that all

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the dollars that possibly can be used are used for frontline workers. That is what I'm trying to get done. So I don't want us to have a higher amount and decide we're going to give some to -- use some for something else when it could be used for frontline workers. That's what -- >> Mayor Adler: That I would agree with. I wonder if there's a way to come up with wording that said everything we can get that will put to frontline workers we'll do that first. And then if you can get some additional to help with utility costs or insurance or other expenses, not including administrative expenses, then do that, but the first priority has to be to spend it on frontline workers. >> Kitchen: Yeah, the maximum amount allowable on frontline workers. >> Mayor Adler: Right. But I wouldn't want to limit the I wouldn't want to limit the entire loan to that, in case after they do that, they can get more for these other things. >> Kitchen: That's in line with my intent.

[4:44:38 PM]

>> Mayor Adler: Councilmember Casar. >> Casar: And I think that's the intent of the language we just described, if we don't eliminate eligible expenses but say that its purpose is for frontline workers. I would also be okay with language that said at the end, instead of the language we described earlier, to say with the maximum amount allowable being spent to support frontline workers in accordance with this. >> Mayor Adler: That would make sense to me. So, let's put that on the table and people can play with it. Councilmember Casar moves that amendment. Is there a second to the amendment that councilmember Casar just made? >> Kitchen: You know, mayor, that was my amendment. >> Mayor Adler: Okay. That's fine. >> Casar: That's fine. >> Mayor Adler: I just want to get it on the table. Ann makes the amendment with the last language that Greg just said. Did you get that language, Ann,

[4:45:40 PM]

for him? The last language that Greg said? >> It would add on to the end of the sentence, letter to council, with the maximum amount allowable being spent to support frontline workers in accordance with the bond. >> Kitchen: Yes. >> Mayor Adler: Kitchen makes that amendment, seconded by councilmember Kelly. Further discussion on this item? Councilmember pool. >> Pool: This raises concerns that I have about the status of the finances for the hilltop Hilton hotel for A.C.E. Probably because of covid, but also for other reasons potentially, we didn't have much robust reporting at all from A.C.E. In 2020. And I literally can't remember when A.C.E. Came to the council to give any reports. I went through my emails. I couldn't find any emailed reports. I do not remember approving their budget during our budget

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proceedings, which I've now done six times. So, I've raised the issue with the chair of audit and finance, as the vice chair, and I'm hoping that the audit and finance committee will be agreeable to being the venue for us to hear from the board, our trustees. I haven't met Mr. Shmant. He is the chair of the board. He and two others, Ms. Thomas and Greenburg were appointed two years ago, 2019. We have two vacancies. Audit and finance has a role in looking at the financials, which I think we all would be interested in, particularly since clearly there are some concerns financially about the viability of the hotel, since we are looking for some protection for the frontline workers, and potentially also to pay for some

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utilities. That's legitimate, but I want to know more about it and the community does, too, since there is involvement of the city of Austin in what happens with that hotel. So, I'll be looking for those reports. I'm saying this publicly so the folks over at A.C.E. Will know that this is on our radar, which it probably should have been before. But we can make up for lost time with that and get into what's going on, and how they're doing, why is it that the city of Austin owns a hotel, still, at this point. [Chuckling] Would it be better not to own it? I think that's a legitimate question for us. And I hope to engage these other questions with my colleagues on the audit and finance committee. >> Mayor Adler: In front of us right now is whether we want to limit the ppp funding to the

[4:48:44 PM]

maximum amount for employees, subject to the bond indenture. It's been moved and seconded. >> Mayor, are we voting on the amendment? I thought that was accepted. >> Mayor Adler: We didn't hear from the group. Does anybody have any objection to that amendment being added? Hearing none, the kitchen amendment is added. We now have the item number 68 in front of us as amended. Any further

discussion on this item? Councilmember tovo. >> Tovo: Yeah, thank you. As a couple of my colleagues mentioned, we do have a new board in place. I look forward to having a conversation at audit and finance. I agree with councilmember pool that that would be the appropriate committee. And I think we should be reviewing the budget on a regular basis, which apparently is something that we have the ability to do. And as far as I know, have never exercised it. We should have a conversation about those other two vacancies

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and talk about how to fill those. And, you know, it's an awkward conversation, but I'm also interested in hearing from the board about their hiring of a president, because it is something that is being talked about in the public. It is an unusual thing for the board of an organization, of a local government corporation, but another entity that is like a local government corporation to extend an offer of employment to a councilmember while that person is actually still a member of council. So, I think that's something that I look forward to talking with the board about, about that decision as we move forward. >> Mayor Adler: Further discussion? >> Tovo: I do plan to support this today. I think the ppp loan is an important one for the many individuals who are working at the Hilton who, you know, I hope will be able to retain their job, because that's a high value. And I wish we hadn't seen, you

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know -- understand and appreciate the Hilton's role in keeping as many employees retained as possible and in taking this step to retain the workers, the employees who are still present there. >> Mayor Adler: Further discussion on item number 68? Councilmember Kelly. >> Kelly: Yes, thank you. And thank you, city legal, for answering some of our questions today. I agree with councilmember tovo that there are some awkward conversations that are probably going to happen, but need to. And in the focus of transparency, I, too, am going to vote in favor of this item, because the frontline hotel workers and the hospitality industry in general does need assistance right now by no fault of their own with covid. And it's absolutely necessary. However, in that same vein, we also need more oversight of Austin convention enterprises and I'm looking forward to those continued conversations with my colleagues. >> Mayor Adler: Okay.

[4:51:48 PM]

Councilmember Casar. >> Casar: I appreciate the work from the dais on this item. I appreciate that it was raised, that a ppp loan could be used in this, in the letter from the board president. I know that those board members, some of them are on other boards, for central health or professors, or they do all this work. So I appreciate them sending us the letter about this option so that we can -- staff can be retained

in this hard time. >> Mayor Adler: And I just want to, by the way, thank the board. It's not an easy board to be on. We've had people rotate off that board. It's a difficult time to be a board. These are volunteers that are working hard and in a difficult place, difficult situation given some of the lawsuits involved with the condominium

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association. I just want to give a shoutout and a thank you to those community volunteers that have been assisting. Councilmember pool, then councilmember tovo. >> Pool: I was originally planning to abstain on the item, because of reasons that I had raised earlier. But I think seeing the reception on the dais of support for digging in and an analysis of the budget and finances, and that we will have more public transparency and accountability of the board and the work there, then I will change my vote and I won't abstain anymore. I will vote for it, because the point of getting the ppp for the employees is really important. My concern about that is that speaks to the financial situation of the hotel. And I won't rest easy until I have some better understanding

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of where we are actually at with the hotel, particularly these days. So, where was it in '19, where do we think it will be next year. In order to bridge that gap, I think this is a good path forward. But it doesn't mean that we won't have oversight. We absolutely need to have some more active oversight by the council on the board. And I, too, appreciate the volunteers. Some good friends are on that board. And I do appreciate the work that they do. And I know that they, too, are concerned about transparency and accountability. So I think it will be a collegial collaboration with that board in having a better handle on the operations and the mission of A.C.E. And the Hilton hotel. >> Mayor Adler: >> Mayor Adler: Councilmember tovo. >> Tovo: I forgot to thank the

[4:54:49 PM]

board for their work getting the new website up. They sent us a memo in June outlining the bylaw changes they were asking us to think about, and their goals, one of which was to have a website up with meeting the finances. And I just want to commend them for taking a real step forward in terms of transparency. That is information that's never been accessible in that format before. Thank you. I think that's of real value. And as the councilmember in the district in which this Hilton hotel sits, I appreciate the information that they're making available. >> Mayor Adler: Okay. Are you ready to take a vote on item 68? Those in favor of item 68, please raise your hand. Those opposed? I think it's unanimous. Councilmember harper-madison, how do you vote?>> Harper-madison: Affirmative >> Mayor Adler: Okay. And I think that's all of us, then.

[4:55:49 PM]

Is that right? 10, 11, that's right. We've handled everything except for the executive session items. So here at 4:55, and pursuant to 551074 of the government code, we're going to go into closed session to take up personnel matters, related to items 83, 84, 85, and 86, the city clerk, auditor, municipal court clerk, and city manager. Without objection, we will now go into executive session. Let's move straight on over to there. We'll see you there in a second. We will not come back out into the public forum. Just need to close out the meeting.

[5:48:45 PM]

<<Mayor Adler: We are out of closed session. In closed session we discussed personnel matters, related to items: 83, 84, 85 and 86. It is now 5:48 p.m. we have worked our way through our agenda and have pushed everhthing we were set out to do and this meeting is now adjourned. This 4th day of March 2021. Thanks for coming out.